



CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Seimone Jurjis, Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator and/or Planning Division staff for the week ending December 13, 2019.

ZONING ADMINISTRATOR ACTIONS DECEMBER 12, 2019

- Item 1: Santiago Lot Merger No. LM2019-003 (PA2019-187)
Site Address: 2309, 2311 and 2321 Santiago Drive
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-073 | Council District 3 |
|---|--------------------|
- Item 2: Bay House 2100, LLC Lot Line Adjustment No. LA2019-002 (PA2019-229)
Site Address: 2021 East Bay Avenue and 2100 East Balboa Boulevard
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-080 | Council District 1 |
|---|--------------------|
- Item 3: Home Sweet Home LLC Residence Coastal Development Permit No. CD2019-038 (PA2019-145)
Site Address: 417 and 417 1/2 Edgewater Place
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-081 | Council District 1 |
|---|--------------------|
- Item 4: Larkin Residence Coastal Development Permit No. CD2019-053 (PA2019-217)
Site Address: 2541 Circle Drive
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-082 | Council District 3 |
|---|--------------------|
- Item 5: Avocado, LLC Residence Coastal Development Permit No. CD2019-055 (PA2019-220)
Site Address: 407 North Bay Front
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-083 | Council District 5 |
|---|--------------------|
- Item 6: Kelegian Residence Coastal Development Permit No. CD2019-049 (PA2019-205)
Site Address: 612 Via Lido Nord
- | | |
|---|--------------------|
| Action: Approved by Resolution No. ZA2019-084 | Council District 1 |
|---|--------------------|

Item 7: 100 Bayview Circle Comprehensive Sign Program No. CS2019-005 and Modification Permit No. MD2019-002 (PA2019-093)

Site Address: 100 Bayview Circle

Action: Approved by Resolution No. ZA2019-085

Council District 3

**COMMUNITY DEVELOPMENT DIRECTOR
OR PLANNING DIVISION STAFF ACTIONS**

(Non-Hearing Items)

Item 1: 3800 and 3810 East Coast Highway Comprehensive Sign Program No. CS2019-008 (PA2019-130)

Site Address: 3800 and 3810 East Coast Highway

Action: Approved

Council District 6

APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

RESOLUTION NO. ZA2019-073

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING LOT MERGER LM2019-003 AND A WAIVER OF THE PARCEL MAP REQUIREMENT FOR A LOT MERGER LOCATED AT 2309, 2311 AND 2321 SANTIAGO DRIVE (PA2019-187)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by David B. Smith Architect, with respect to property located at 2309, 2311, and 2321 Santiago Drive. 2309 Santiago Drive is legally described as Parcel 2 of Lot Line Adjustment No. LA2006-011. 2321 Santiago Drive is legally described as Parcel 1 of Lot Line Adjustment No. LA2006-011. 2311 Santiago Drive is legally described as Parcel 1 of Resub 0551.
2. The applicant proposes a lot merger and requests to waive the parcel map requirement for three properties under common ownership.
3. The subject property is designated Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1-10,000) Zoning District.
4. The subject property is not located within the coastal zone.
5. A public hearing was held on December 12, 2019 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315, under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 15 exemption includes the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcel to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. This

exemption includes a minor lot merger not resulting in the creation of any new parcel that complies with the conditions specified above.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 19.08.030 (Waiver of Parcel Map Requirement) and 19.68.030 (Lot Mergers) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Approval of the merger will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot merger is consistent with the legislative intent of this title

Facts in Support of Finding:

1. The lot merger to combine three existing legal lots by removing the interior lot lines between the lots will not result in the creation of additional parcels.
2. The project is in an area with an average slope of less than 20 percent.
3. The lot merger is consistent with the purpose and intent of Title 19 (Subdivisions).
4. The future development on the proposed parcel will be subject to the Zoning Code development standards, which are intended to promote orderly development, protect neighborhood character, and preserve public health, safety, and general welfare of the City.

Finding:

B. The lots to be merged are under common fee ownership at the time of the merger.

Fact in Support of Finding:

1. The three lots to be merged are under common fee ownership and are conditioned to remain under common fee ownership prior to recordation of the lot merger.

Finding:

C. The lots as merged will be consistent or will be more closely compatible with the applicable zoning regulations and will be consistent with other regulations relating to the subject property including, but not limited to, the General Plan and any applicable Coastal Plan or Specific Plan.

Facts in Support of Finding:

1. The merged lots will retain the Single-Unit Residential (R-1-10,000) zoning designation, consistent with the surrounding area. The R-1-10,000 Zoning District is intended to provide for areas appropriate for a detached single-family residential dwelling unit located on a single lot with larger lot areas.
2. The Land Use Element of the General Plan designates the subject site as Single-Unit Residential Detached (RS-D), which applies to a range of single-family residential dwelling units.
3. The subject property is not located within a Specific Plan area.
4. Section 20.18.030 of the Zoning Code establishes minimum lot area and width requirements. The proposed merger would result in a 77,922-square-foot parcel that is in conformance to the minimum 10,000-square-foot lot area standard of the Zoning Code. Additionally, the proposed merger would result in a lot width of approximately 264 feet, meeting the minimum 90-foot lot width standard of the Zoning Code.

Finding:

D. Neither the lots as merged nor adjoining parcels will be deprived of legal access as a result of the merger.

Fact in Support of Finding:

1. No adjoining parcels will be deprived of legal access as a result of the merger. Legal access is provided from Santiago Drive.

Finding:

E. The lots as merged will be consistent with the surrounding pattern of development and will not create an excessively large lot that is not compatible with the surrounding development.

Facts in Support of Finding:

1. Properties within the neighborhood consist of varying shapes and sizes, including several oversized lots along this block. Properties on the block fronting the northeasterly side of Santiago Drive are zoned Single-Unit Residential (R-1) and consist of lots sizes ranging from 8,801 square feet to 36,041 square feet. Properties on the block fronting the southeasterly side of Santiago Drive are zoned R-1-10,000 and consist of lot sizes ranging from 9,011 square feet to 62,000 square feet (sf).
2. Although the proposed lot merger will result in a larger lot, it will not create an excessively large lot in comparison to many of the existing lots in the area. There are many existing lots in the surrounding neighborhood that are similar to the proposed lot area such as 2401 and 2411 Santiago Drive which is used as one single-family

development (62,000 sf), 2425 Santiago Drive (47,276 sf) and 2400 Santiago Drive (36,041 sf), among others.

3. The proposed lot width is approximately 264 feet, which will not create an excessively wide lot in comparison to other existing lots in the area. The larger lots range from 121 feet to 158 feet wide. 2401 and 2411 Santiago Drive has a total width of 234 feet being utilized as one single-family development. The depths of the larger lots are all within the range of 288 feet to 300 feet. The proposed lot merger would result in a lot width of 264 feet and an average lot depth of 295 feet.
4. The resulting lot configuration will not change the historic size or shape of the existing properties; or the existing pattern of development since the orientation and access to the parcel would remain from Santiago Drive.

Finding:

F. The proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads and property access, sanitary disposal facilities, water supply availability, environmental protection, and other applicable requirements of this title, the Zoning Code, the General Plan, and any applicable Coastal Plan or Specific Plan.

Facts in Support of Finding:

1. Approval of the proposed lot merger would remove the existing interior lot lines, and allow the property to be used as a single site. The proposed lot would comply with all design standards and improvements required for new subdivisions by Title 19, General Plan, and Coastal Land Use Plan.
2. The subject property is not subject to a Specific Plan.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15315, under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Lot Merger No. LM2019-003, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of

Community Development in accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.



Gregg Ramirez, Zoning Administrator

EXHIBIT "A"**CONDITIONS OF APPROVAL****PLANNING**

1. The map shall be submitted to the Public Works Department for Final Map Review and Approval. All applicable fees shall be paid.
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. Prior to recordation of the lot merger, the three lots shall be held entirely under one common fee ownership.
4. Lot Merger No. LM2019-003 shall expire unless exercised within twenty-four (24) months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.
5. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Santiago Lot Merger including, but not limited to, Lot Merger No. LM2019-003 (PA2019-187). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition

RESOLUTION NO. ZA2019-080

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING LOT LINE ADJUSTMENT NO. LA2019-002 TO ADJUST THE BOUNDARIES OF PARCELS LOCATED AT 2021 EAST BAY AVENUE AND 2100 EAST BALBOA BOULEVARD (PA2019-229)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Bay House 2100, LLC with respect to property located at 2021 East Bay Avenue and 2100 East Balboa Boulevard, and legally described as Lot 10 and the westerly half of Lot 11 of Tract 756 and Parcel 4 of Resubdivision No. 250 respectively, requesting approval of a lot line adjustment.
2. The applicant proposes to adjust the boundary between two (2) contiguous parcels located on the Balboa Peninsula. Land taken from 2100 East Balboa Boulevard will be reallocated to 2021 East Bay Avenue. There will be no change in the number of parcels.
3. The property at 2021 East Bay Avenue is currently developed with an existing single-unit residence with landscaping and hardscape amenities. Until recently, the property at 2100 East Balboa Boulevard was developed with a single-unit residence, which was demolished in 2018 (Coastal Development Permit No. CD2018-018) to make way for a replacement residence to be constructed in the near future. Both properties are designated by the General Plan as Single-Unit Residential Detached (RS-D), and located in the Single-Unit Residential (R-1) Zoning District.
4. The subject properties are located within the coastal zone. For both properties, the Coastal Land Use Plan category is Single Unit Residential Detached – (6.0 – 9.9 DU/AC) (RSD-B) and the Coastal Zoning District is Single-Unit Residential (R-1). The subject Lot Line Adjustment (LLA) does not require a Coastal Development Permit (CDP) as it is not defined as a development pursuant to the Local Coastal Program or Coastal Act. The LLA does not create new lots and the same number of lots will result with approval of the application. No physical development is directly or indirectly affected or authorized by the subject LLA. The lots included in the adjusted area do not support or provide public access or public views. The lots included in the adjusted area also do not support or contain any sensitive coastal resources. The project does not constitute a change in the intensity or density of the use of the property. The existing single-unit residence will remain at 2021 East Bay Avenue and 2100 East Balboa Boulevard will retain the potential to construct a future single-unit residence. Any future development on the subject lots would be required to comply with Title 21 (Local Coastal Implementation Plan) and obtain a CDP if required.
5. A public hearing was held on December 12, 2019, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal

Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15305, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 5 (Minor Alterations in Land Use Limitations) of the Guidelines for CEQA.
2. This exemption consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including minor lot line adjustments. The proposed boundary adjustment affects the property line between two (2) parcels and is for the purpose of accommodating the construction of a new swimming pool at 2021 East Bay Avenue.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 19.76.020 (Procedures for Lot Line Adjustments) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. *Approval of the lot line adjustment will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot line adjustment is consistent with the legislative intent of the title.*

Facts in Support of Finding:

1. The proposed lot line adjustment will not change the existing use of either property. The General Plan Land Use Designation of Single-Unit Residential Detached will be maintained for 2021 East Bay Avenue and 2100 East Balboa Boulevard.
2. The proposed lot line adjustment will not result in a development pattern that is inconsistent with the surrounding neighborhood. Both 2021 East Bay Avenue and 2100 East Balboa Boulevard will continue to allow for single-unit development consistent with the applicable General Plan Land Use and zoning designation.
3. The proposed lot line adjustment is consistent with the purpose identified in Chapter 19.76 (Lot Line Adjustment) of the Newport Beach Municipal Code. The lot line adjustment constitutes a minor boundary adjustment involving two (2) adjacent lots where land taken from one (1) lot is added to an adjacent lot. The original number of lots will remain unchanged after the adjustment.

4. The proposed lot line adjustment is consistent with the General Plan, does not negatively impact surrounding land owners, and will not in itself be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood, as the adjustment affects interior property lines between two (2) adjacent parcels.

Finding:

- B. The number of parcels resulting from the lot line adjustment remains the same as before the adjustment.*

Fact in Support of Finding:

1. The proposed lot line adjustment will adjust the property line between two (2) contiguous parcels. The number of parcels remains the same as before the lot line adjustment.

Finding:

- C. The lot line adjustment is consistent with applicable zoning regulations except that nothing herein shall prohibit the approval of a lot line adjustment as long as none of the resultant parcels is more nonconforming as to lot width, depth and area than the parcels that existed prior to the lot line adjustment.*

Facts in Support of Finding:

1. Both 2021 East Bay Avenue and 2100 East Balboa Boulevard are located within the R-1 Zoning District, which is intended to provide for detached single-unit dwellings. The proposed lot line adjustment will not change the existing use of the parcels affected.
2. The proposed lot line adjustment will shift a 99-foot section of the common lot line approximately 15.50 feet easterly into the 2100 East Balboa lot. This would reallocate approximately 1,535 square feet of land from 2100 East Balboa Boulevard to 2021 East Bay Avenue. This adjustment would allow for the construction of a new swimming pool at 2021 East Bay Avenue.
3. Both lots will continue to meet the minimum lot width standard of 50 feet of the Zoning Code. Lot width is defined in the Zoning Code as the horizontal distance between the side lot lines, measured at right angles to the line that defines the lot depth at a point midway between the front and rear lines. Per the definition of lot width, the existing lot width for 2021 East Bay Avenue is 59.98 feet, while the existing lot width for 2100 East Balboa Boulevard is 61.29 feet. Subsequent to the lot line adjustment, the proposed lot width for 2021 East Bay Avenue increases to 75.08 feet, while the lot width for 2100 East Balboa Boulevard remains 61.29 feet.
4. Both lots will continue to exceed the minimum site area requirements of the Zoning Code. Interior lots in the R-1 Zoning District are required to provide a minimum lot area of 5,000 square feet. In this case, the lot area for 2021 East Bay Avenue increases from 9,140 square feet to 10,675 square feet, while the lot area for 2100 East Balboa Boulevard decreases from 15,440 square feet to 13,905 square feet.

5. The proposed lot line adjustment will not result in a change in allowed land uses, density, or intensity on the properties.

Finding:

- D. Neither the lots as adjusted nor adjoining parcels will be deprived legal access as a result of the lot line adjustment.*

Fact in Support of Finding:

1. The proposed lot line adjustment affects the interior property lines between two (2) adjacent parcels. Legal access to the subject properties is not affected by the adjustment.

Finding:

- E. That the final configuration of the parcels involved will not result in the loss of direct vehicular access from an adjacent alley for any of the parcels that are included in the lot line adjustment.*

Fact in Support of Finding:

1. Vehicular access to the existing properties is from East Balboa Boulevard and East Bay Avenue, and the final configuration will not change.

Finding:

- F. That the final configuration of a reoriented lot does not result in any reduction of the street site setbacks as currently exist adjacent to a front yard of any adjacent key, unless such reduction is accomplished through a zone change to establish appropriate street site setbacks for the reoriented lot. The Planning Commission and City Council in approving the zone change application shall determine that the street site setbacks are appropriate, and are consistent and compatible with the surrounding pattern of development and existing adjacent setbacks.*

Fact in Support of Finding:

1. The final configuration of the proposed parcels does not result in a requirement for revised setbacks since the parcels are not proposed to be reoriented. The required setbacks applicable to parcels in the R-1 Zoning District shall continue to apply to the adjusted parcels per the Zoning Code.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. This project has been determined to be categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15305, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 5 (Minor Alterations in Land Use Limitations) of the Guidelines for CEQA.
2. The Zoning Administrator of the City of Newport Beach hereby approves Lot Line Adjustment No. LA2019-002, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective ten (10) days following the date this Resolution was adopted unless within such time an appeal is filed with the Community Development Director in accordance with the provisions of Title 19 (Subdivisions) of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.



Gregg B. Ramirez, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. The approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 19 (Subdivisions) of the Newport Beach Municipal Code.
3. Prior to recordation of the lot line adjustment, the applicant shall submit the exhibits to the Public Works Department for final review.
4. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Bay House 2100, LLC Lot Line Adjustment including, but not limited to, Lot Line Adjustment No. LA2019-002 (PA2019-229). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

RESOLUTION NO. ZA2019-081

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2019-038 TO DEMOLISH AN EXISTING DUPLEX AND CONSTRUCT A NEW THREE-STORY SINGLE-FAMILY RESIDENCE AND ATTACHED 2-CAR GARAGE LOCATED AT 417 EDGEWATER PLACE (PA2019-145)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Bradford C. Smith, with respect to property located at 417 Edgewater Place, requesting approval of a coastal development permit.
2. The lot at 417 Edgewater Place is legally described as Lot 6 of Block 2 of the Balboa Bayside Tract.
3. The applicant requests a coastal development permit to demolish the existing duplex and construct a new 2,536 square-foot, three-story, single-family residence with a 373-square-foot garage. No work is proposed to the adjacent boardwalk or bulkhead. The design includes hardscape, walls, landscaping, and drainage facilities. The project complies with all applicable development standards and no deviations are requested.
4. The subject property is designated RT (Two-Unit Residential) by the General Plan Land Use Element and is located within the R-2 (Two-Unit Residential) Zoning District.
5. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-E (Two Unit Residential – 30.0 – 39.9 DU/AC) and it is located within the R-2 (Two-Unit Residential) Coastal Zoning District.
6. A public hearing was held on December 12, 2019, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section 15303, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures), because it has no potential to have a significant effect on the environment.
2. Class 3 exempts the demolition and construction of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project

consists of the demolition of a duplex and the construction of a new 2,536-square-foot single-family residence and attached 373-square-foot two-car garage.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits, Findings and Decision) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. *Conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation is 3,073 square feet and the proposed floor area is 2,909 square feet.
 - b. The proposed development provides the minimum required setbacks, which are seven feet along the front property line abutting Edgewater Place, three feet along each side property line and five feet along the rear property line abutting the alley.
 - c. The highest guardrail is less than 24 feet from established grade (9.5 feet North American Vertical Datum of 1988 [NAVD88]) and the highest ridge is no more than 29 feet from established grade, which comply with the maximum height requirements.
 - d. The project includes garage parking for a total of two vehicles, complying with the minimum two-car garage parking requirement for single-family residences with less than 4,000 square feet of habitable floor area.
2. The neighborhood is predominantly developed with one, two- and three-story, single-family and two-unit residences. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development.
3. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by GeoSoils, Inc. dated July 22, 2019, for the project. The subject site is protected from the bay by a City

owned bulkhead, which reaches a height of approximately 8.6 feet NAVD88. The bulkhead that protects the property is part of a larger bulkhead system, which surrounds sections of the peninsula. No changes to the bulkhead are proposed. The current maximum bay water elevation is 7.7 feet NAVD88. The report analyzes future sea level rise scenarios assuming a 2.9-foot increase in the maximum water level over the next 75 years (i.e. the life of the structure). Therefore, the sea level is estimated to reach approximately 10.6 feet NAVD88 (the likely range for sea level rise over 75-year design life of the structure based on low risk aversion estimates for sea level rise provided by the State of California, Sea Level Rise Guidance: 2018 Update). However, the bulkhead is not privately owned and the property owner does not have the ability to raise the City owned bulkhead. Therefore, a waterproofing curb is proposed be constructed around the perimeter of the dwelling that would protect against flooding up to an elevation of 10.6 feet NAVD88. Flood shields (sand bags and other barriers) can be deployed across the openings to protect and prevent flooding to the structure. The report concludes that the proposed project will be safe from flooding hazards for the next 75 years with the flood protection curb. The project has been conditioned to require construction of the proposed waterproofing curb.

4. The finished floor elevation of the proposed single-family residence is 9.5 feet NAVD88, which complies with the minimum 9 feet (NAVD88) elevation standard. The Coastal Hazard Report concludes that the bay water elevation (currently 7.7 feet NAVD88) will not exceed the proposed flood protection curb around the single-family residence at 10.6 feet (NAVD88) for the anticipated 75-year life of the structure.
5. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to final building inspection, and prior to the issuance of building permits, respectively.
6. The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.
7. The property is adjacent to coastal waters. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. The project design also addresses water quality through the inclusion of a post construction drainage system that

includes drainage and percolation features designed to retain dry weather and minor rain event runoff onsite. Any water not retained onsite is directed to the City's storm drain system.

8. Pursuant to Municipal Code Section 21.35.050, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A preliminary WQHP has been prepared for the project by Forkert Engineering & Surveying Inc. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, use of a LID approach to retain the design storm runoff volume on site, and documentation of the expected effectiveness of the proposed BMPs.
9. Proposed landscaping complies with Implementation Plan Section 21.30.075. A condition of approval is included that requires drought-tolerant species. Prior to issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted
10. The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is in Peninsula Park and is not visible from the site. The site is located adjacent to Edgewater Place (boardwalk), which is accessible to the public and provides some opportunities to view the bay. As currently developed, the existing property and other residences along Edgewater Place are located within the view shed of the bay. However, the proposed single-family residence complies with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Additionally, the project does not contain any unique features that could degrade the visual quality of the coastal zone.
11. The front of the proposed residence, which is visible from Edgewater Place, contains substantial architectural treatment and visual interest, in keeping with the design guidelines of the Zoning Code. The design includes modulation of volume throughout the structure, an increased front setback beyond what is required by code (10 to 13 feet instead of the seven feet that is required), and low walls that prevent the appearance of the site being walled off from the boardwalk. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to existing public views.

Finding:

- B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Fact in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be

proportional to the impact. In this case, the project replaces an existing duplex located on standard R-2 lot with a new single-family residence. Therefore, the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.

2. Vertical access to the bay is available at the ends of the block, along Cypress Street and Adams Street. Lateral access is available adjacent to the subject property, along the existing public boardwalk. There is a pedestrian walkway easement along the boardwalk to ensure public access, as decided by California Superior Court Case 169606. The project does not include any features that would obstruct access along these routes and no construction is proposed bayward of the subject property.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2019-038, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF DECEMBER, 2019.



Gregg Ramirez, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

Planning Division

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Prior to issuance of building permits, the project plans shall be updated to reflect that a waterproofing curb will be constructed around the proposed residence as an adaptive flood protection device up to 10.6 feet (NAVD88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect prevent flooding to the structure.*
3. Prior to final building permit inspection, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.
4. Prior to the issuance of a building permit, the property owner shall submit a notarized and signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of development. This letter shall be scanned into the plan set prior to building permit issuance.
5. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
6. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
7. This Coastal Development Permit does not authorize any development seaward of the private property.

8. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
9. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
10. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
11. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
12. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
14. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
15. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.

16. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
17. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
18. Prior to the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.
19. Prior to issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
20. Prior to issuance of a building permit, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
21. Prior to issuance of building permits, the final WQHP/WQMP shall be reviewed and approved by the Building Division. Implementation shall be in compliance with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
22. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
23. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
24. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
25. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current

property owner or agent.

26. This Coastal Development Permit No. CD2019-038 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
27. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Home Sweet Home LLC. Residence including, but not limited to, Coastal Development Permit No. CD2019-038 (PA2019-145). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages, which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Public Works

28. The existing public walkway along Edgewater Place shall be maintained.
29. Any damaged sidewalk, alley, or bulkhead shall be repaired. Extent of repair shall be per Public Works Inspector and Community Development Director.

RESOLUTION NO. ZA2019-082

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2019-053 TO DEMOLISH AN EXISTING SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 2541 CIRCLE DRIVE (PA2019-217)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by architect Eric Olsen, with respect to property located at 2541 Circle Drive, and legally described as Lot 19, Tract 1140 requesting approval of a coastal development permit.
2. The applicant proposes to demolish an existing one-story single-family residence and construct a new three-story 3,928-square-foot, single-family residence with an attached 490-square-foot, two-car garage. The proposed development also includes additional appurtenances such as walls, fences, patios, hardscape, drainage devices, and landscaping.
3. The subject property is located within the R-1 (Single-Unit Residential) Zoning District and the General Plan Land Use Element category is RS-D (Single-Unit Residential Detached).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RSD-B (Single Unit Residential Detached) (6.0 - 9.9 DU/AC) and the Coastal Zoning District is R-1 (Single-Unit Residential).
5. A public hearing was held on December 12, 2019 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 3 includes the construction of a single-family residence in a residential zone. The proposed project includes the demolition of an existing single-family residence and construction of a new 3,928-square-foot, single-family residence with an attached 490-square-foot, two-car garage.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a

state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The proposed structure conforms to all applicable development standards including, but not limited to, site coverage limitation, setbacks, height, and parking:
 - a. The maximum floor area limitation is 7,066 square feet and the proposed gross floor area is 4,418 square feet.
 - b. The proposed development will provide the required setbacks, which are 10 feet along the front property line, 4 feet along the side property lines, and 10 feet along the rear property line.
 - c. The highest guardrail or flat roof is no more than 24 feet, measured from established grade at every point as required by Zoning Code Section 20.30.050(B)(3) and the highest ridge is no more than 29 feet from established grade, which complies with the maximum height limitation.
 - d. The project includes enclosed garage parking for two vehicles, which complies with the minimum two-space parking requirement for single-family residences with less than 4,000 square feet of livable floor area.
2. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood's pattern of development and expected future development consistent with applicable development standards.
3. The project is located on a relatively level building pad elevation of approximately 11.83 feet North American Vertical Datum of 1988 (NAVD 88) on a lot located approximately 400 feet from the bayfront, and separated from the water by Bay Shore Drive, Circle Drive and several rows of existing residential development. A preliminary Geotechnical Investigation, dated July 22, 2019, was prepared by EGA Consultants for the project. The investigation concluded the site offers favorable conditions for redevelopment provided construction is performed in accordance with report recommendations.
4. The project will be required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing

liquefaction are required to be reviewed and approved prior to the issuance of a building permit. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC prior to building permit issuance.

5. As conditioned, the property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c) prior to the issuance of building permits for construction.
6. The project design addresses water quality during construction with a construction erosion control plan. All new construction resulting from the project will tie into an existing post-construction drainage system that includes features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
7. New landscaping will be verified for compliance with NBMC Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant and prohibits invasive species. Prior to issuance of the building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
8. The property is not located near coastal view roads and is not located near any identified public viewpoints; therefore, the project will not negatively impact public coastal views.

Finding:

B. Conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline in the private community of Bayshores. Developed in 1941, Bayshores is a 258-lot, single-family, gated community located on the Lido Channel southwest of Coast Highway and Newport Bay Bridge. The 39-unit Anchorage Apartment complex is also located within the community. The community is accessible from Coast Highway via Bay Shore Drive, a private street. The shoreline is on the south and east sides of the community and consists of bulkheads and two small sandy beaches.
2. Coastal Land Use Plan Policy 3.1.5-3 requires public access consistent with public access policies for any new development in private/gated communities causing or contributing to adverse public access impacts. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project replaces an existing single-family residence located on a coastal lot with a new single-family residence. Therefore,

the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities. Furthermore, the project is designed and sited so as not to block or impede existing public access opportunities.

3. The residential lot does not currently provide nor does it inhibit public coastal access. Vertical and lateral access to the bay front is available adjacent to the Bayshores community at the Balboa Bay Club, approximately 725 feet from the subject property.
4. The project site is not located adjacent to a coastal view road or coastal viewpoint identified by Local Coastal Program maps. The project site may be located within the viewshed of distant public viewing areas; however, the project will replace an existing single-family residence with a new single-family residence that complies with all applicable Local Coastal Program (LCP) development standards. It will also maintain a building envelope consistent with the existing and anticipated neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to public views.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2019-053, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.



Gregg B. Ramirez, Zoning Administrator

EXHIBIT "A"**CONDITIONS OF APPROVAL**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
3. Prior to the issuance of a building permit, the property owner shall sign a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgements, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of development. The letter shall be scanned into the plan set prior to building permit issuance.
4. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
5. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
6. The applicant is responsible for compliance with the Migratory Bird Treaty Act. In compliance with the (MBTA), grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.

-
- B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
7. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
 8. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
 9. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stock piles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
 10. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
 11. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
 12. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
 13. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
 14. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
 15. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
 16. Prior to the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.

-
17. Prior to issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
 18. Prior to issuance of a building permit, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
 19. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
 20. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
 21. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
 22. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
 23. Coastal Development Permit No. CD2019-053 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
 24. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the *Larkin Residence including, but not limited to Coastal Development Permit No. CD2019-053 (PA2019-217)*. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which

City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

RESOLUTION NO. ZA2019-083

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2019-055 TO DEMOLISH AN EXISTING SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 407 NORTH BAY FRONT (PA2019-220)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Brandon Architects, with respect to property located at 407 North Bay Front, and legally described as Lot 4, Block 8, of Section 1, Balboa Island requesting approval of a coastal development permit.
2. The applicant proposes to demolish an existing single-family residence and construct a new 2,456-square-foot, single-family residence with an attached 465-square-foot, two-car garage. The proposed development also includes additional appurtenances such as walls, fences, patios, hardscape, drainage devices, and landscaping.
3. The subject property is located within the R-BI (Balboa Island) Zoning District and the General Plan Land Use Element category is RT (Two-Unit Residential).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-E (Two-Unit Residential) (30.0 - 39.9 DU/AC) and the Coastal Zoning District is R-BI (Balboa Island).
5. A public hearing was held on December 12, 2019 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 3 includes the construction of a single-family residence in a residential zone. The proposed project includes the demolition of an existing single-family residence and construction of a new 2,456-square-foot, single-family residence with an attached 465-square-foot, two-car garage.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The proposed structure conforms to all applicable development standards including, but not limited to, floor area limitation, setbacks, height, and parking:
 - a. The maximum floor area limitation is 2,900 square feet and the proposed gross floor area is 2,900 square feet.
 - b. The proposed development will provide the required setbacks, which are 10 feet along the front property line, 3 feet along the side property lines and 5 feet along the rear property line.
 - c. The highest guardrail or flat roof is no more than 24 feet, measured from established grade at every point as required by Zoning Code Section 20.30.050(B)(3) and the highest ridge is no more than 29 feet from established grade, which complies with the maximum height limitation.
 - d. The project includes enclosed garage parking for two vehicles, which complies with the minimum two-space parking requirement for single-family residences with less than 4,000 square feet of livable floor area.
2. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood's pattern of development and expected future development consistent with applicable development standards as the neighborhood is developed with a mix of one-, two- and three-story residential structures.
3. The property is an oceanfront lot that is separated from the ocean by a public boardwalk and City-owned concrete seawall/bulkhead. The bulkhead which protects the subject property is part of a larger bulkhead system which surrounds Balboa Island. No modification to the existing bulkhead is proposed with this project. A Coastal Hazards and Sea Level Rise Study was prepared for the project by GeoSoils, Inc., dated September 16, 2019. The

report concludes that, with the implementation of sea level rise strategies (water proofing and the future raising of the City's bulkhead), the proposed development will not be adversely impacted by potential coastal hazards over the next minimum 75 years. The GeoSoils study further concludes that with the implementation of the cited recommendations, no additional protective devices will be necessary to protect the development from any existing or anticipated future coastal hazards for the next 75 years or more.

4. Pursuant to Newport Beach Municipal Code (NBMC) Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
5. The finished floor elevation of the first habitable floor of the proposed structure is 9.0 feet North American Vertical Datum of 1988 (NAVD 88), which complies with the minimum 9.0-foot NAVD 88 elevation standard for new structures. The development will be required to be waterproofed to 10.6 feet NAVD 88 to accommodate future anticipated potential sea level rise.
6. The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and the CBC prior to building permit issuance.
7. A post-construction drainage system will be installed that includes drainage and percolation features designed to retain dry weather and minor rain runoff on-site to ensure the project does not impact water quality. Any water not retained on-site is directed to the City's storm drain system.
8. The project design addresses water quality with a construction erosion control plan that outlines temporary best management practices (BMPs) to be implemented during construction to minimize erosion and sedimentation, and to minimize pollution of runoff derived by construction chemicals and materials. No water quality impacts to coastal waters are anticipated based upon the location and elevation of the property.
9. New landscaping will be verified for compliance with NBMC Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant and prohibits invasive species. Prior to issuance of the building permits, the final landscape plans will be reviewed to verify invasive species are not planted.

10. The project site is not located adjacent to a coastal view road or coastal viewpoint identified by Local Coastal Program maps. The project site may be located within the viewshed of distant public viewing areas; however, the project will replace an existing single-family residence with a new single-family residence that complies with all applicable Local Coastal Program (LCP) development standards. It will also maintain a building envelope consistent with the existing and anticipated neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to public views.

Finding:

- B. Conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline; however, the project will not affect the public's ability to gain access to use and/or view the coast and nearby recreational facilities. The proposed residential development neither provides nor inhibits public coastal access. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project includes the replacement of an existing single-family residence with a new single-family residence. The project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities.
2. The project is designed and sited so as not to block or impede existing public access opportunities and occurs within the confines of private property. Existing coastal access conditions will not be affected by the proposed development. Coastal access is currently provided and will continue to be provided by street ends throughout the neighborhood with access to the public boardwalk.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2019-055, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.

3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF DECEMBER, 2019.



Gregg B. Ramirez, Zoning Administrator

EXHIBIT “A”**CONDITIONS OF APPROVAL**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Prior to issuance of building permits, the project plans shall be updated to reflect that a waterproofing curb will be constructed around the proposed residence as an adaptive flood protection device up to 10.6 feet North American Vertical Datum of 1988 (NAVD88). Flood shields (sand bags and other barriers) can be deployed across the openings to protect prevent flooding to the structure.*
3. Prior to final building permit inspection, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices to address the threat of damage or destruction from waves, erosion, storm conditions, landslides, seismic activity, bluff retreat, sea level rise, or other natural hazards that may affect the property, or development of the property, today or in the future. The agreement shall be binding against the property owners and successors and assigns.
4. Prior to the issuance of a building permit, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of development. This letter shall be scanned into the plan set prior to building permit issuance.
5. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
6. This approval does not authorize any new or existing improvements (including landscaping) on State tidelands, public beaches, or the public right-of-way.
7. This Coastal Development Permit does not authorize any development seaward of the private property.

-
8. The applicant is responsible for compliance with the Migratory Bird Treaty Act. In compliance with the (MBTA), grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
 9. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
 10. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
 11. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stock piles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
 12. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
 13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
 14. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.

-
15. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
 16. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
 17. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
 18. Prior to the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.
 19. Prior to issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
 20. Prior to issuance of a building permit, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
 21. Prior to issuance of building permits, the final WQHP/WQMP shall be reviewed and approved by the Building Division. Implementation shall be in compliance with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
 22. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
 23. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
 24. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.

-
25. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
 26. This Coastal Development Permit No. CD2019-055 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
 27. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Avocado, LLC Residence including, but not limited to, Coastal Development Permit No. CD2019-055 (PA2019-220). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages, which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.
 28. The Applicant shall obtain Public Works review and approval of any private improvements proposed within the public right-of-way area. Such improvements shall comply with Council Policy L-6 related to allowable encroachments within public rights-of-way.

RESOLUTION NO. ZA2019-084

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2019-049 FOR A NEW SINGLE-UNIT RESIDENCE LOCATED AT 612 VIA LIDO NORD (PA2019-205)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by William Guidero, with respect to property located at 612 Via Lido Nord, and legally described as Lot 67 and the southeast one-half of Lot 68 in Tract 907, requesting approval of a coastal development permit.
2. The applicant proposes to demolish the existing 2,564 square-foot single-family residence and construct a new 4,669 square-foot single-family residence.
3. The subject property is designated Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single Unit Residential Detached (RSD-C) and it is located within the Single-Unit Residential (R-1) Coastal Zone District.
5. A public hearing was held on December 12, 2019 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 3 exemptions include the demolition and construction of limited numbers of new structures; such as single-unit dwellings. This proposal is to replace an existing single-unit dwelling with a new single-unit dwelling, thus qualifies for the Class 3 exemption.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the

environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015(F) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. Conforms to all applicable sections of the certified Local Coastal Program

Facts in Support of Finding:

1. The subject site is an existing residential property that is currently improved with a 2,564 square-foot single-family residence. The proposal is to demolish this existing residence and construct a new 4,669 square-foot single-family residence. The proposed improvements are limited to the existing residential lot.
2. The neighborhood is predominantly developed with two-story single-family residential structures. The design, bulk, and scale of the proposed development is consistent with the existing and anticipated neighborhood pattern of development.
3. The proposed residence complies with all development standards set forth in the zoning code and local coastal program.
4. The lowest finished first floor elevation of the proposed residence is 13.70 feet (NAVD88), which exceeds the minimum required 9.00 foot (NAVD88) elevation standard. Furthermore, a Bulkhead Condition Report was prepared by GeoSoils, Inc., dated July 15, 2019, which concludes that the private seawall/bulkhead along the waterway is in good condition and not in need of maintenance.

Finding:

B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline; however, the residential lot does not currently provide nor does it inhibit public coastal access.

2. There are seven public access points to the tidelands around Lido Isle, the closest of which is approximately 160' to the northwest of the project site at the street end of Via Orvieto. The project will not impede this, or any, public access.
3. NBMC 21.30A.040(A) requires the provision of public access shall bear a reasonable relationship between the requirement and the project's impact and shall be proportional to the impact. The project will replace an existing single-unit residence with a new single-unit residence. There is no change to the land use and/or density of the site. Furthermore, the new single-unit residence will not increase demand on public access and/or recreation opportunities.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit CD2019-205, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF DECEMBER, 2019.



Gregg B. Ramirez, Zoning Administrator

EXHIBIT “A”**CONDITIONS OF APPROVAL****PLANNING**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
3. Coastal Development Permit No. CD2019-049 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
4. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
5. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this coastal development permit.
6. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
7. Best Management Practices (BMP's) and Good Housekeeping Practices (GHP's) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Pollution Prevention Plan.
8. Prior to issuance of the building permits, a copy of the Resolution, including conditions of approval Exhibit “A” shall be incorporated into the Building Division and field sets of plans.
9. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the coastal development permit file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this coastal development permit.

-
10. Prior to issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.
 11. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
 12. All landscape materials and irrigation systems shall be maintained in accordance with the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
 13. Prior to the issuance of building permits, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
 14. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
 15. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
 16. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
 17. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
 18. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
 19. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of

the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to MBTA:

- A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
20. Upon completion of demolition of the existing residence, the seawall/bulkhead shall be re-inspected to verify the depth, tieback condition (if present), and below grade condition of the landward side of the wall. A revised Bulkhead Condition Report shall be submitted to the City for review. All necessary entitlements and permits shall be obtained prior working on any changes/modifications required by the revised Bulkhead Condition Report.
21. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Kelegian Residence including, but not limited to, Coastal Development Permit No. CD2019-049 (PA2019-205). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Building Division Conditions

22. The second floor office shall be modified to meet the emergency egress requirements of the building code.
23. The property is in Special Flood Hazard Area AE8. All construction shall comply with flood mitigation requirements.

24. The property is located within a liquefaction zone. All construction shall be designed to address mitigation and seawall competency to resist lateral displacement and structural integrity.

RESOLUTION NO. ZA2019-085

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COMPREHENSIVE SIGN PROGRAM NO. CS2019-005 AND MODIFICATION PERMIT NO. MD2019-002 FOR AN INCREASE IN SIGN AREA LOCATED AT 100 BAYVIEW CIRCLE (PA2019-093)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Dave Kerby of JB3D ("Applicant"), with respect to property located at 100 Bayview Circle and legally described as Lot 2 of Tract No. 12528 in the City of Newport Beach, County of Orange, State of California requesting approval of a comprehensive sign program and modification permit.
2. The Applicant proposes a comprehensive sign program to establish design parameters for signage at an existing multi-tenant, multi-story, office building. The Applicant is seeking the following deviations from the Newport Beach Municipal Code Chapter 20.42 (Sign Standards):
 - a) The installation of wall signs above the bottom of the lowest second-story window;
 - b) The installation of wall signs outside the middle fifty (50) percent of building or tenant frontage;
 - c) Tenant identification signs located on adjacent walls on the same building separated by a distance of less than thirty (30) feet where the Zoning Code requires a minimum separation of thirty (30) feet measured along the exterior walls of the building; and
 - d) The installation of up to four (4) freestanding monument signs on one (1) site, where the Zoning Code allows a maximum of one freestanding sign per site.
3. The Applicant is requesting approval of a modification permit to authorize two (2) sign types which exceed the maximum sign area allowed by the Zoning Code by more than thirty (30) percent.
 - a) Sign Type 1 (Primary Tenant ID) – Three (3) wall signs with a maximum sign area of 252 square feet located on the façades facing Bristol Street, Bayview Place, and the private street Bayview Circle.
 - b) Sign Type 7 (Building Entry Address) – A window sign with a maximum sign area of 450 square feet located on the windows above the building entrance on the private street Bayview Circle.

4. The subject property is designated General Commercial Office (CO-G) by the General Plan Land Use Element and is located within the PC 32 (Bayview Planned Community) Zoning District.
5. The subject property is not located in the coastal zone.
6. A public hearing was held on December 12, 2019, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15311 under Class 11 (Accessory Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. Class 11 includes construction or replacement of minor structures such as on-premise signs accessory to (or appurtenant to) existing commercial facilities. The proposed sign is incidental and accessory to the automotive dealer use of the property and will not intensify or alter the use.

SECTION 3. REQUIRED FINDINGS.

Comprehensive Sign Program

Pursuant to Newport Beach Municipal Code (NBMC) Section 20.42.120 (Comprehensive Sign Program), the comprehensive sign program allows for an increase in sign height by twenty (20) percent above that allowed and an increase in sign area by thirty (30) percent above that allowed. The program shall comply with the standards of the Zoning Code, except that deviations are allowed with regard to sign area, total number, location, and/or height of signs. In accordance with NBMC Section 20.42.120, the following findings and facts in support of such findings are set forth:

Finding:

- A. *The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42], any adopted sign design guidelines and the overall purpose and intent of this Section [Section 20.42.120].*

Facts in Support of Finding:

1. The proposed Comprehensive Sign Program complies with the purpose and intent of NBMC Chapter 20.42 (Sign Standards) because it provides the multi-tenant office

building with reasonable tenant identification while guarding against an excessive sign proliferation that would degrade the City's unique character and aesthetic standards.

2. The Comprehensive Sign Program preserves and enhances community appearance by regulating the type, size, location, quantity, and illumination of all signs.
3. The Comprehensive Sign Program enhances the safety of motorists and pedestrians by minimizing the distraction of intrusive, difficult to read, or excessive signage.

Finding:

B. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.

Facts in Support of Finding:

1. The project site is located in the Bayview Planned Community (PC 32). Professional and Administrative offices within PC 32 are allowed to be developed to a height of 95 feet. The size and location of the proposed signage is complementary to the bulk and scale of the existing building and the neighboring buildings.
2. The neighboring office building is of an identical size, shape, and design as the project site. The Comprehensive Sign Program proposes wall and monument signs that are in harmony with the approved program for the identical neighboring property.

Finding:

C. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Fact in Support of Finding:

1. The Comprehensive Sign Program includes all project signage. Any future temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42.

Finding:

D. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Finding:

1. The Comprehensive Sign Program has been developed to be effective for commercial uses and allow flexibility for future changes in tenants. Adequate tenant identification has been provided through the increase in the number of tenant identification wall sign

locations and an increase in the number of tenant identification monument signs at the project site.

2. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate changes in tenants or uses. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.

Finding:

E. The program shall comply with the standards of this Chapter, except that deviation are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter.

Facts in Support of Finding:

1. The Comprehensive Sign Program allows for deviations with regards to the type, number, and location of wall signs. The approval conforms to the intent of NBMC Chapter 20.42 while accommodating the unique shape of the building and the necessary deviations.
2. The building is a high rise structure, has frontages which exceed 200 feet along Bayview Place, Bayview Circle, and Bristol Street, and has multiple entrances to a subterranean parking structure. The deviation from the number of wall signs allowed per building frontage and placement of signs is appropriate given the scale of the building, the substantial number of building tenants, and the necessity to safely direct motorists to parking locations.
3. The shape of the building and project site allows for visitors to approach the building from multiple directions. The deviation from the number of freestanding monument signs on one site is necessary to provide adequate tenant identification. Monument signs are proposed along Bayview Place, Bayview Circle, and Bristol Street. This placement ensures that visitors will be able to identify building tenants regardless of which direction they approach the site from.
4. The deviation from the standard that signs shall be located within the middle fifty (50) percent of the building or tenant frontage is appropriate due to the proposed number of signs on a large façade. The standard requirement would force the proposed signs unreasonably close together and would not visually integrate into the building design. This would create cluttered signage that would be detrimental to the overall appearance of the site. The proposed signs allow for placement where the architectural design of the building suggests and better fits within the overall scale of the building façade.
5. The deviation from the standard that signs located on adjacent walls on the same building shall be separated by a minimum of 30 feet measured along the exterior walls of the building is appropriate due to the shape and scale of the building and the nature

of the signs. The deviation occurs at the intersection of Bayview Place and Bristol Street. The signs which require the deviation are tenant identification (ID) signs and a primary building address sign. The tenant ID signs are located high above the ground level while the building address sign is located at ground level. Requiring the 30 feet of separation would needlessly create a staggered design that is not visually appealing.

6. The proposed Comprehensive Sign Program is consistent with NBMC Chapter 20.42, and is being processed concurrently with a Modification Permit consistent with Section 20.52.050 to allow the maximum sign area of certain wall and window signs to be larger than the standard Zoning Code limitations.

Finding:

F. The Approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].

Fact in Support of Finding:

1. The Comprehensive Sign Program does not authorize the use of prohibited signs.

Finding:

G. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Fact in Support of Finding:

1. The content of the signs was not considered and the proposed Comprehensive Sign Program does not contain any regulations regarding sign message content.

Modification Permit Findings in Support of Sign Type 1

Pursuant to NBMC Section 20.42.110, deviations in sign height greater than twenty (20) percent and sign area greater than thirty (30) percent are subject to the approval of a modification permit. In accordance with NBMC Section 20.52.050 (Modification Permits), the following findings and facts in support of such findings for Sign Type 1 are set forth:

Finding:

H. The requested modification will be compatible with existing development in the neighborhood.

Facts in Support of Finding:

1. The project site is abutted to the north by Bristol Street and the 73 freeway, to the east by an identical twin building, to the south by a parking structure and a hotel, and to the west by a condominium complex.

2. The largest maximum sign area allowed on any of the surrounding buildings is 330 square feet (Modification Permit No. MD2005-124).
3. The requested maximum sign area for Sign Type 1 is less than the maximum sign area approved for the adjacent twin building.
4. The proposed wall sign area visually maintains compatibility with other tall buildings in the vicinity with similar scaled wall signs.

Finding:

- I. The granting of the modification is necessary due to the unique physical characteristic(s) of the property and/or structure, and/or characteristics of the use.*

Facts in Support of Finding:

1. The project site is considerably large and provides over 200 feet of frontage along the majority of the building façades. Sign Type 1 will not dominate the façades on which they are located and will be compatible with the overall massing and bulk of the building.
2. The structure utilizes geometric architecture that results in multiple step pyramids adorning the building. The step pyramid shape encourages the placement of a large sign on the highest level of the pyramid.
3. The size and location of Sign Type 1 is consistent with the size and placement of a large tenant ID sign on the adjacent twin building.
4. The distance between the building and the centerline of Bristol Street, the 73 freeway, and Jamboree Road is over 60 feet, 280 feet, and 580 feet respectively. The location of Sign Type 1 near the roof line of the building and its increased size will provide enhanced visibility at further distances.
5. There are tall palm trees along both Bristol Street and Bayview Place that can obscure the view of the proposed signage. The proposed location and size will offset the height and bulk of the landscaping.

Finding:

- J. The granting of the modification is necessary due to practical difficulties associate with the property and that the strict application of the Zoning Code results in physical hardships that are inconsistent with the purpose and intent of the Zoning Code.*

Facts in Support of Finding:

1. The project site is visible from the major thoroughfares Bristol Street and Jamboree Road as well as the 73 freeway. Vehicle speeds routinely exceed 55 miles per hour.
2. The requested maximum sign area for Sign Type 1 will ensure that motorists are able to both read the tenant identification signage quickly while traveling at high speeds and at an early enough interval that they are able to exit the thoroughfare to visit the business.
3. The increased size of Sign Type 1 is appropriate to the scale and height of the buildings in the area and necessary to provide adequate visibility despite the surrounding development.

Finding:

- K. There are no alternatives to the modification permit that could provide similar benefits to the applicant with less potential detriment to surrounding owners and occupants, the neighborhood, or to the general public.*

Fact in Support of Finding:

1. The existing building is surrounded by other multi-story, high-rise, building and does not have wall areas adequately visible for a primary tenant other than up at the top of the building. This elevated location requires an increase in sign area above the allowable limits in the Zoning Code in order to be both visible and legible to motorists travelling on Bristol Street, Jamboree Road, or the 73 freeway and for pedestrian users.

Finding:

- L. The granting of the modification would not be detrimental to public health, safety, or welfare, to the occupants of the property, nearby properties, the neighborhood, or the City, or result in a change in density or intensity that would be inconsistent with the provisions of this Zoning Code.*

Facts in Support of Finding:

1. This approval will allow for an increase in the size of wall signs but will not result in a change in intensity or density of the existing general commercial office land use.
2. The size of Sign Type 1 is within the scale of the signs in the surrounding area and will not adversely affect or be detrimental to persons, property, or improvements in the surrounding neighborhood.
3. The proposed locations of Sign Type 1 will not affect views for nearby properties or occupants of the neighborhood as they will be installed on an existing building.

4. The increased size of Sign Type 1 will provide better visual direction for the public from the surrounding public roadways and from a greater distance without detracting from the building's overall aesthetic.
5. Compliance with the Zoning Code and the attached conditions of approval is required and will further ensure that the proposed signs will not be detrimental.

Modification Permit Findings Not in Support of Sign Type 7

In accordance with NBMC Section 20.52.050 (Modification Permits), the Zoning Administrator finds that following facts do not support the findings necessary for Sign Type 7:

Facts Not in Support of Findings:

1. The requested sign area for Sign Type 7 exceeds the largest maximum allowable sign area for the neighboring identical twin building by 120 square feet and is not consistent with approved signage in the area.
2. The requested sign area for Sign Type 7 is distracting and demands the attention of all users, including visitors to the neighboring buildings, and is not consistent with the intent and purpose of Chapter 20.42 of the Zoning Code.
3. The neighboring identical twin building has a building address sign on the fascia below the lobby window that effectively communicates the site address and lobby entrance location.
4. Vehicle speeds on Bayview Circle are not accelerated enough to necessitate a maximum sign area larger than allowed by the Zoning Code to ensure legibility.
5. A reduction in sign area for Sign Type 7 to that allowed by the Zoning Code would still allow for a unique, artistic, sign that supports first time users in locating the building and lobby entry successfully. A condition of approval has been added to limit the maximum sign area for Sign Type 7 to 48 square feet.
6. In addition to site identification, Sign Type 7 is proposed in order to provide shade to the building lobby. Shade could be provided to the lobby through the use of blinds, window film, or through vinyl stickers in an artistic shape.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15311 under Class 11 (Accessory Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment.
- 2.
3. The Zoning Administrator of the City of Newport Beach hereby approves Comprehensive Sign Program No. CS2019-005 and Modification Permit No. MD2019-002, subject to the conditions set forth in Exhibit "A" and sign matrix parameters denoted in Exhibit "B," which are attached hereto and incorporated by reference.
4. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
5. This resolution supersedes Modification Permit No. MD2008-006, which upon vesting of the rights authorized by this Comprehensive Sign Program No. CS2019-005 and Modification Permit No. MD2019-002, shall become null and void.

PASSED, APPROVED, AND ADOPTED THIS 12TH DAY OF DECEMBER, 2019.



Gregg B. Ramirez, Zoning Administrator

EXHIBIT “A”**CONDITIONS OF APPROVAL**

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Locations of signs are limited to the designated areas and shall comply with the limitations specified in the Sign Matrix included in Exhibit B.
3. Sign Type 7 shall be limited to a maximum sign area of 48 square feet.
4. Sign location shall comply with the City's line of sight requirements per City Standard STD-110-L.
5. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
6. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this approval.
7. A building permit shall be obtained prior to commencement of installation of the signs.
8. Prior to final of building permits, a nighttime lighting inspection shall be conducted to confirm signage lighting will not cause a nuisance to nearby residential properties.
9. Each illuminated sign shall be subject to a thirty (30) day review period, during which time the Director may determine that a reduction in illumination or turning off of illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, and at any time, the Director may order the dimming or turning off of any illumination found to be excessively bright. The Director's determination will be made without regard to the message content of the sign.
10. Illuminated signs along the Bayside Place shall be turned off by 10:00 p.m. daily.
11. All proposed signs shall be in conformance with the approved Comprehensive Sign Program for the project site and provisions of Chapter 20.42 (Signs) of the Newport Beach Municipal Code.
12. This Modification may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.

-
13. All signs must be maintained in accordance with Section 20.42.170 (Maintenance Requirements) of the Newport Beach Municipal Code.
 14. A copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
 15. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
 16. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning of the Newport Beach Municipal Code.
 17. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the City's approval of 100 Bayview Circle Sign Program, but not limited to, Comprehensive Sign Program No. CS2019-005 and Modification Permit No. MD2019-002 (PA2019-093). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

100 Bayview Circle Comprehensive Sign Program Matrix No. CS2019-005 (PA2019-093)

Name	Sign Type	Primary Frontage (<i>Bristol Street</i>)	Secondary Frontages *	Other Specifications
Sign Type 1 (ST1) Primary Tenant ID	Building Sign - Wall	Maximum Number: 1 Maximum Sign Area: 252 sq. ft. Maximum Sign Height: 6' Maximum Sign Width: 42'	Maximum Number: 2 Maximum Sign Area: 252 sq. ft. Maximum Sign/Letter/Logo Height: 6' Maximum Sign Width: 42'	<ul style="list-style-type: none"> - Allowed on Secondary Frontage A and Secondary Frontage C. - One sign maximum per frontage. - Shall not exceed three total for entire building.
Sign Type 2 (ST2) Secondary Tenant ID	Building Sign - Wall	Maximum Number: 2 Maximum Sign Area: 48 sq. ft. Maximum Sign Height: 24" Maximum Sign Width: 25'	Maximum Number: Varies Maximum Sign Area: 48 sq. ft. Maximum Sign/Letter/Logo Height: 24" Maximum Sign Width: 25'	<ul style="list-style-type: none"> - Allowed on Secondary Frontage A and Secondary Frontage D. - Two signs maximum per frontage. - One per tenant, per frontage. - Shall not exceed four total for entire building.

Sign Type 3 (ST3) Tertiary Tenant ID	Building Sign - Wall		<p>Maximum Number: 6</p> <p>Maximum Sign Area: 12 sq. ft.</p> <p>Maximum Sign/Letter/Logo Height: 12"</p> <p>Maximum Sign Width: 12'</p>	<p>- Allowed on Secondary Frontage B.</p> <p>- One per tenant.</p> <p>- Illumination not permitted.</p>
Sign Type 4 (ST4) Tenant Monument	Freestanding - Ground	<p>Maximum Number: 1</p> <p>Maximum Sign Area: 79.5 sq. ft.</p> <p>Maximum Sign Height: 6'</p> <p>Maximum Sign Width: 13'-3"</p>	<p>Maximum Number: 1</p> <p>Maximum Sign Area: 79.5 sq. ft.</p> <p>Maximum Sign Height: 6'</p> <p>Maximum Sign Width: 13'-3"</p>	<p>- Allowed on Secondary Frontage A.</p> <p>- Shall not exceed two total for entire site.</p>
Sign Type 5 (ST5) Building Entry Monument	Freestanding - Ground		<p>Maximum Number: 2</p> <p>Maximum Sign Area: 24 sq. ft.</p> <p>Maximum Sign Height: 6'</p> <p>Maximum Sign Width: 4'</p>	- Allowed on Secondary Frontage B.

100 Bayview Circle Sign Program (PA2019-093)
Exhibit B

Sign Type 6 (ST6) Primary Building Address	Building Sign - Wall		Maximum Number: 1 Maximum Sign Area: 29.5 sq. ft. Maximum Sign Height: 22" Maximum Sign Width: 16'	- Allowed on Secondary Frontage A.
Sign Type 7 (ST7) Building Entry Address	Building Sign - Window		Maximum Number: 1 Maximum Sign Area: 48 sq. ft. Maximum Sign/Letter/Logo Height: 24" Maximum Sign Width: 25'	- Allowed on Secondary Frontage B.
Sign Type 8 (ST8) Garage Entry	Building Sign - Wall		Maximum Number: 2 Maximum Sign Area: 5 sq. ft. Maximum Sign Height: 8" Maximum Sign Width: 6'-7"	- Allowed on Secondary Frontage C and Secondary Frontage D.

Secondary Frontages are defined as the following:

- Secondary Frontage A - Bayview Place
- Secondary Frontage B - Bayview Circle
- Secondary Frontage C - South Garage Entrance
- Secondary Frontage D - West Garage Entrance

Notes/Requirements:

- a) Sign locations shall be as depicted on approved plans.
- b) Wall signs shall be constructed of individual channel letters and attached per mounting details depicted on approved plans.
- c) Requirements for all signs per Municipal Code Chapter 20.42, except as provided in this sign matrix.
- d) Sign Designs shall be consistent with Citywide Sign Design Guidelines Manual.
- e) Pursuant to Section 20.42.120.F of the Zoning Code, the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915
949-644-3200
www.newportbeachca.gov

ZONING ADMINISTRATOR ACTION LETTER

Subject: 3800 and 3810 East Coast Highway Sign Program (PA2019-130)
▪ Comprehensive Sign Program No. CS2019-008

Site Location 3800 and 3810 East Coast Highway

Applicant Dynamite Sign Group

Legal Description Lots 50 and 51 in Block B, Tract No. 673

On December 13, 2019, the Zoning Administrator approved Comprehensive Sign Program No. CS2019-008. This approval is in accordance to the provisions of Newport Beach Municipal Code (NBMC) Chapter 20.42 (Sign Standards).

LAND USE AND ZONING

- **General Plan Land Use Plan Category:** CC (Corridor Commercial)
- **Zoning District:** CC (Commercial Corridor)

SUMMARY

Pursuant to NBMC Section 20.42.120 (Comprehensive Sign Program), a comprehensive sign program is required whenever three or more separate tenant spaces are proposed for a single site and when signage is proposed at or above the second story of a multi-story building. Comprehensive sign programs provide a means for the flexible application of sign regulations for projects that require multiple signs in order to provide incentives and latitude in the design and display of multiple signs to achieve, not circumvent, the purpose of the sign standards of the Zoning Code. The maximum sign area, total number, location, and height of signs may be modified to the extent that the comprehensive sign program will enhance the overall development consistent with the purpose of the Chapter 20.42 of the Zoning Code. The increase the height and area of signs are limited to 20 percent and 30 percent respectively and a comprehensive sign program cannot authorize signs prohibited by the Zoning Code.

The Comprehensive Sign Program will allow the following deviations from the Zoning Code:

- a) The installation of both a tenant identification wall sign and a tenant identification window sign, whereas the Zoning Code allows for only one building sign, per tenant, per frontage;
- b) The installation of wall signs above the second-story windows;

- c) The installation of wall signs outside the middle 50 percent of building or tenant frontage; and
- d) Tenant identification signs located on adjacent walls of the same building separated by a distance of less than 30 feet, whereas the Zoning Code requires a minimum separation of 30 feet measured along the exterior walls of the building.

This approval is based on the following findings and standards and subject to the following conditions:

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

- A. *The project is exempt from environmental review under the requirements of the California Environmental Quality Act pursuant to Section 15311, Class 11 (Accessory Structures).*

Fact in Support of Finding:

- 1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The project site is an existing, multi-story, multi-tenant commercial building. The proposed signs are incidental and accessory to the principal commercial use of the property. The signs do not intensify or alter the use of the site.

Standard

- B. *The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42], any adopted sign design guidelines, and the overall purpose and intent of this Section [Section 20.42.120 – Comprehensive Sign Program].*

Facts in Support of Standard

- 1. The proposed Comprehensive Sign Program complies with the purpose and intent of Chapter 20.42 (Sign Standards) because it provides the building tenants with adequate identification while guarding against the excessive and confusing proliferation of signs.
- 2. The proposed Comprehensive Sign Program preserves and enhances the community appearance by regulating the type, size, location, quantity, and illumination of signs. A condition of approval limiting illumination has been included in this sign program. Additionally, a condition of approval requiring subsequent approval of a building permit prior to the installation of any signs has been included to ensure signs are installed per the approved plans.

3. The wall signs are designed to effectively identify building tenants using legible text that contrasts with the background it is placed upon. This is consistent with the adopted Citywide Sign Design Guidelines.
4. The size and location of signs have been selected to provide adequate identification to passing motorists on East Coast Highway, Poppy Avenue, and Hazel Drive without dominating the façades on which they are located.

Standard

- C. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.*

Facts in Support of Standard

1. The site is developed with two, multi-story, multi-tenant, commercial buildings with similar design and architecture. All building signs relate visually to each other and the building's design because they maintain consistency in design, materials, and color while identifying the different tenant names.
2. The surrounding development along East Coast Highway is primarily commercial uses within multi-tenant buildings. The surrounding signage is eclectic and includes the use of wall, roof, pylon, window, awning and monument signs. The Comprehensive Sign Program does not appear out of place and is harmonious with surrounding development and signage.
3. The adjacent use to the rear of the project site is residential, however, no signage is proposed along the rear façade of the property.

Standard

- D. The sign program shall address all signs, including permanent, temporary, and exempt signs.*

Fact in Support of Standard

1. The Comprehensive Sign Program addresses all project signage. Temporary and exempt signs not specifically addressed in the Comprehensive Sign Program shall be regulated by the provisions of NBM Chapter 20.42.

Standard

- E. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.*

Facts in Support of Standard

1. The Comprehensive Sign Program has been developed to be effective for all allowed commercial uses and includes flexibility for future changes in uses or tenants. Adequate tenant identification has been provided through the increase in the number of tenant identification sign locations.
2. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate changes in tenants. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.

Standard

F. The program shall comply with the standards of this Chapter [Chapter 20.42], except that deviations are allowed with regard to sign area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter [Chapter 20.42].

Facts in Support of Standard

1. The Comprehensive Sign Program allows for increase in the number of signs. The total number of signs per tenant is reasonable in order to preserve existing tenant identification while integrating all new signage. The approval conforms to all other standards of NBMC Chapter 20.42.
2. Allowing the wall signs not to be located in the middle 50 percent of a frontage complements the architecture of the building, promotes a visually appealing pattern for sign placement, and increases the visibility of signage to users traveling along East Coast Highway. Additionally, this deviation allows for flexibility in the event that the existing tenant configuration is modified in a way that creates additional suites or combines suites.
3. Allowing the signs located on adjacent walls of the same building to be separated by less than 30 feet is appropriate in this case given the length of the secondary frontages of the project site and the architectural design of the buildings. The wall signs along Hazel Drive shall be installed directly above a tenant entrance, near East Coast Highway, and the wall-mounted directory sign facing Poppy Avenue is installed at the corner of Poppy Avenue and East Coast Highway. The signs will be visible to both pedestrian users and motorists on East Coast Highway. These users would not be able to see the signage if it maintained the 30-foot separation required by NBMC Chapter 20.42..

4. Allowing the installation of wall signs above the second-story windows is appropriate given the multi-story design of the building with different tenants occupying the various floors.

Standard

G. The approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].

Facts in Support of Standard

1. The Comprehensive Sign Program acknowledges the existence of a nonconforming roof sign, which is subject to abatement in compliance with NBMC Section 20.42.140 (Nonconforming Signs). A condition of approval has been added requiring the roof sign to be removed in compliance with the Zoning Code.
2. The subject comprehensive sign program does not authorize any prohibited signs.

Standard

H. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Fact in Support of Standard

1. The Comprehensive Sign Program contains no regulations affecting sign message content.

CONDITIONS OF APPROVAL

1. The development shall be in substantial conformance with the approved site plan, details, elevations, and sign matrix except as noted in the following conditions.
2. Upon demolition of the existing structure or substantial change to the exterior of the development on which this approval is based, this Comprehensive Sign Program shall require subsequent review by the Planning Division and may render this Comprehensive Sign Program null and void. A new Comprehensive Sign Program in accordance with NBMC Chapter 20.42 would be required for the new or altered development.
3. All signs shall be maintained in accordance with NBMC Section 20.42.170 (Maintenance Requirements). Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of NBMC Chapter 20.42.
4. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix (Attachment No. ZA 2) and any

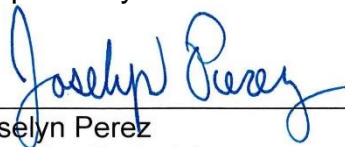
applicable sight distance provisions of NBMC Chapter 20.42 or as required by the Public Works Department (City Standard 110-L).

5. The existing nonconforming roof sign is subject to NBMC Section 20.42.140 (Nonconforming Signs) or any successor section. NBMC Section 20.42.140.A requires the roof sign to be removed by October 27, 2019, unless the City amends NBMC Sections 20.42.140.A to allow an extension of time or alternatively, City amends Chapters 20.42 to allow roof signs.
6. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on the surrounding land uses or sensitive habitat areas, the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
7. In accordance with NBMC Section 20.42.120(F), the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. This may include deviations on the tenant configurations, such as combining or dividing suites.
8. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.
9. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Planning file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
10. A copy of this letter, including conditions of approval and sign matrix, shall be incorporated into the City and field sets of plans prior to issuance of the building permits.
11. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the **3800 and 3810 East Coast Highway Sign Program including, but not limited to Comprehensive Sign Program No CS2019-008 (PA2019-130)** and the determination that the project is exempt under the requirements of the California

Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:



Joselyn Perez
Planning Technician

Approved by:



Jim Campbell
Deputy Community Development Director

BMZ/jp

Attachments: ZA 1 Vicinity Map
 ZA 2 Comprehensive Sign Program Matrix
 ZA 3 Project Plans

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2019-008
PA2019-130

3800 and 3810 East Coast Highway

Attachment No. ZA 2

Comprehensive Sign Program Matrix

3800 and 3810 East Coast Highway Comprehensive Sign Program No. CS2019-008 (PA2019-130) Matrix

Name	Sign Type	Frontage	Dimensions	Other Specifications
Sign Types A and B – Tenant ID	Building Sign – Suspended	Primary	Maximum Number: 2 Maximum Sign Area: 27 sq. ft. Maximum Sign Height: 1'-6" Maximum Letter Height: 12" Maximum Sign Width: 18'	- Allowed on the 3800 E Coast Highway building.
Sign Type C – Tenant ID	Building Sign – Canopy Mounted	Primary	Maximum Number: 4 Maximum Sign Area: 14 sq. ft. Maximum Sign/Letter/Logo Height: 12" Maximum Sign Width: 14'	- Allowed on both the 3800 and the 3810 E Coast Highway buildings. - One per tenant. - Illumination not permitted.
Sign Type E – Multi-Tenant Directory Sign	Building Sign - Wall	Secondary	Maximum Number: 1 Maximum Sign Area: 63.33 sq. ft. Maximum Sign Height: 7'-11" Maximum Sign Width: 8'	- Allowed on the secondary frontage facing Poppy Ave.

3800 and 3810 East Coast Highway Sign Program (PA2019-130)
Attachment No. ZA 2

Sign Type Z – Tenant ID	Building Sign - Wall	Secondary	Maximum Number: 2 Maximum Sign Area: 14 sq. ft. Maximum Sign Height: 12” Maximum Letter Height: 12” Maximum Sign Width: 14’	- Allowed on the secondary frontage facing Hazel Drive. - One per tenant.
Sign Type G – Tenant ID	Building Sign – Window	Primary	Maximum Number: 6 Maximum Sign Area: Varies Maximum Sign Height: Varies Maximum Sign Width: Varies	- Allowed on both the 3800 and the 3810 E Coast Highway buildings. - Window signs shall not exceed 20% maximum coverage of each window area. - One per tenant.
Sign Type H – Building Address	Building Sign - Wall	Primary	Maximum Number: 2 Maximum Sign Area: 20.3 sq. ft. Maximum Letter Height: 1’-5” Maximum Sign Width: 4’-5”	- Allowed on both the 3800 and the 3810 E Coast Highway buildings.
Sign Type I – Roof Tenant ID	Existing Roof Sign		Existing Signs: 2	- Subject to abatement in accordance with NBMC 20.42.140 Nonconforming Signs. Signs must be removed by 10/27/2019, see Condition 5

Notes/Requirements:

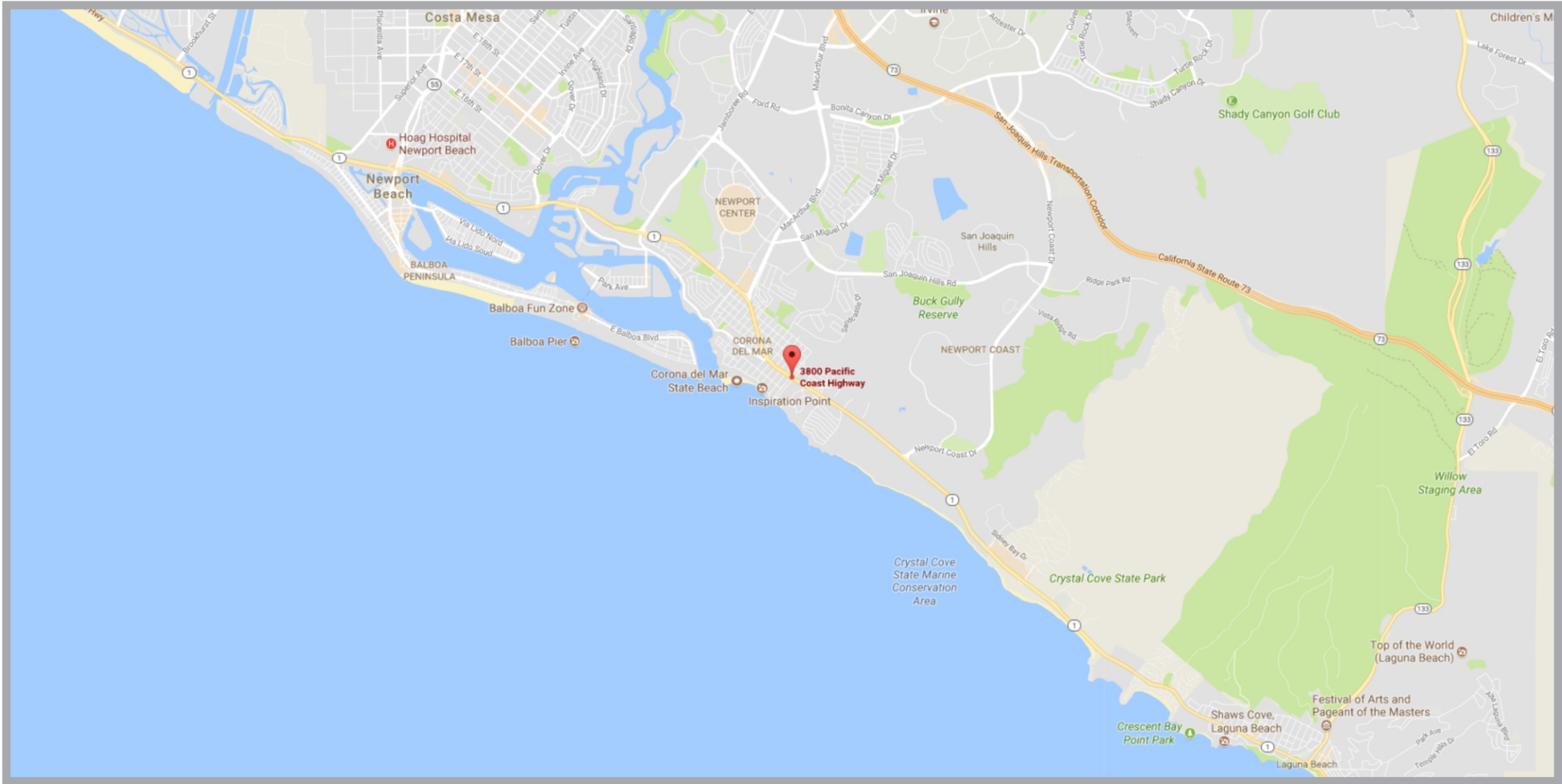
- a) Sign locations shall be as depicted on approved plans.
- b) Wall signs shall be constructed of individual channel letters and attached per mounting details depicted on approved plans.
- c) Requirements for all signs per Newport Beach Municipal Code (NBMC) Chapter 20.42 (Sign Standards), except as provided in this sign matrix.
- d) Sign Designs shall be consistent with Citywide Sign Design Guidelines Manual.
- e) Pursuant to NBMC Section 20.42.120(F), the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.

Attachment No. ZA 3

Project Plans

3800 & 3810 E. PCH

3800 & 3810 PCH / Corona Del Mar, CA 92625



1 Vicinity Map
Scale: NTS

TNT
SIGN
COMPANY **ELECTRIC**

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

SIGN PROGRAM

COMPREHENSIVE SIGN MATRIX

3800	N or E		Sq. Ft.	Location	Primary or Secondary
1. A	Existing	Suspended Tenant	27	South	Primary
2. C1	Proposed	Canopy Mount Tenant	14	South	Primary
3. C2	Proposed	Canopy Mount Tenant	14	South	Primary
4. E1	Existing	Directory Wall Mount	63.33	West	Secondary
5.	Proposed	Window Signs (3) tenants x 5 sq ft. max per tenant	15	South	

3810	N or E		Sq. Ft.	Location	Primary or Secondary
1. B	Proposed	Suspended Tenant	27	South	Primary
2. C3	Proposed	Canopy Mount Tenant	14	South	Primary
3. C4	Proposed	Canopy Mount Tenant	14	South	Primary
4.	Proposed	Wall Mount Tenant	14	East	Secondary
5.	Proposed	Wall Mount Tenant	14	East	Secondary
6.	Proposed	Window Signs (3) tenants x 5 sq ft. max per tenant	15	South	

Note:
Suspended Types routed out cabinets painted black with ½” thick acrylic push through at 2nd floor,
12” tall max copy.
All 1st floor to be 12” tall max channel letters on raceway.

3800 South 70sf
3800 West 63.33 sf
3810 South 70 sq.
3810 East 28 sq.

Note:
No sandwich Board, No A Frame Sign allowed.
Window signs not to exceed 5 sq ft. of any tenant facing PCH.
Allowed to span multiple windows as long as vinyl doesn’t exceed 5 sq. ft. each

ALLOWABLE SQ. FT. CALCS

COMPREHENSIVE SIGN MATRIX

3800	EAST COAST HWY	
1.	Primary	40’-0” Store Frontage 40 x 1.5 = 60 sq. ft. + 30% by ZA = 78 sq. ft. allowable
2.	Secondary	½ of Primary 78 = x ½ = 39 sq. ft. max allowable

3810	EAST COAST HWY	
1.	Primary	40’-0” Store Frontage 40 x 1.5 = 60 sq. ft. + 30% by ZA = 78 sq. ft. max allowable
2.	Secondary	½ of Primary 78 / ½ = 39 sq. ft. max allowable

• Zoning Administrator Can Approve Up To 30% Extra square footage
(NBMC 20.42.120) Subsection C

30% of 60 = 18
60 + 18 = 78 sq. ft.
½ of 78 = 39 sq. ft.

Primary Frontage: Up to 78 sq. ft.
Secondary Frontage: Up to 39 sq. ft.



3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

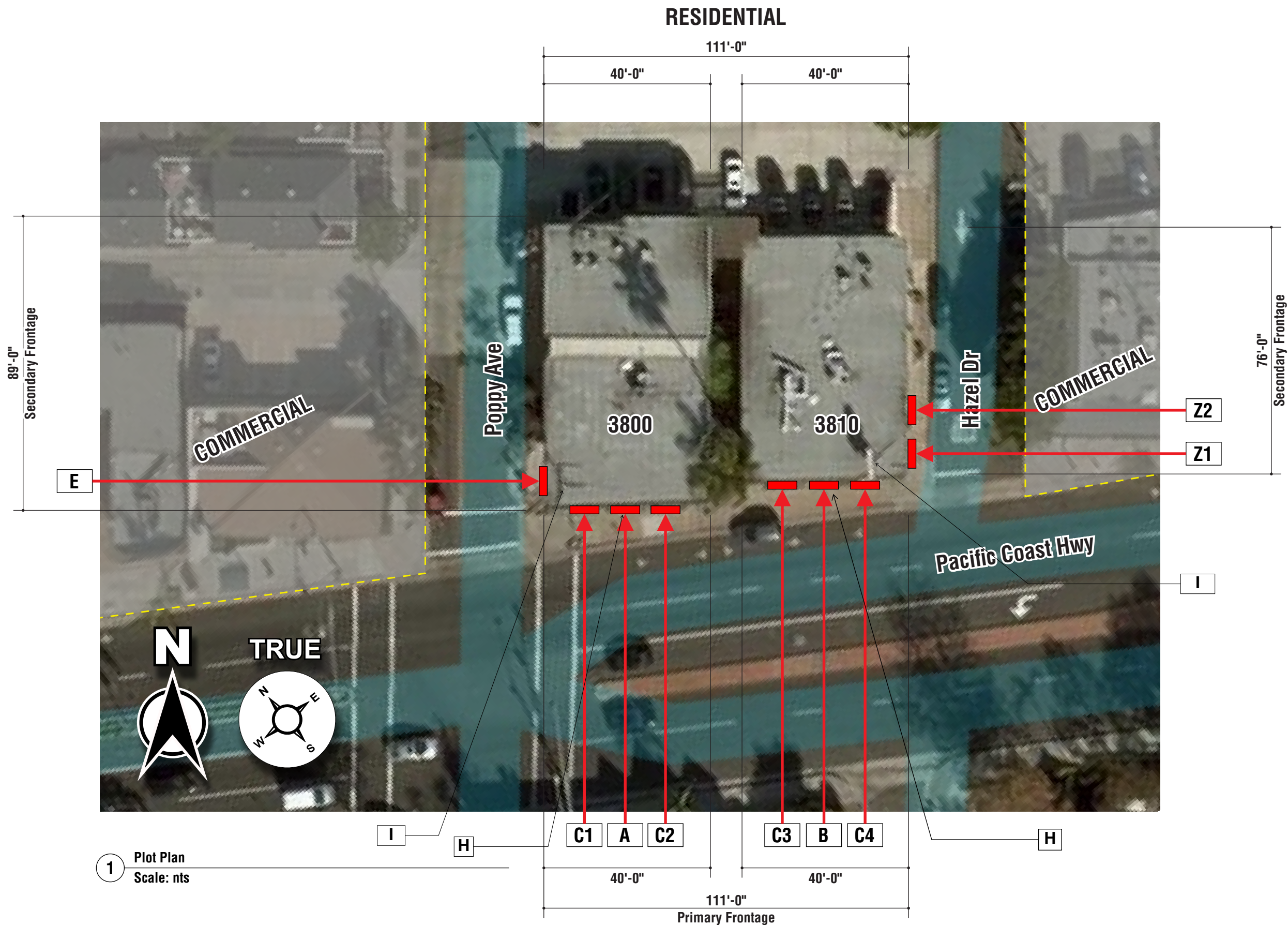
Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing
created by TNT Electric Sign Co. It is
submitted for your approval. It is not to be
shown to anyone outside of your
organization, nor is it to be reproduced,
copied or exhibited in any fashion. The
changing of colors, sizes, materials or
illumination method does not alter the
design. Ownership of this design is held by
TNT Electric Sign Co. Authorization to use
this design in any fashion must be obtained
in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a
graphic representation. Actual colors may
vary. See color specifications.



1 Plot Plan
Scale: nts

TNT
SIGN
COMPANY **ELECTRIC**

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

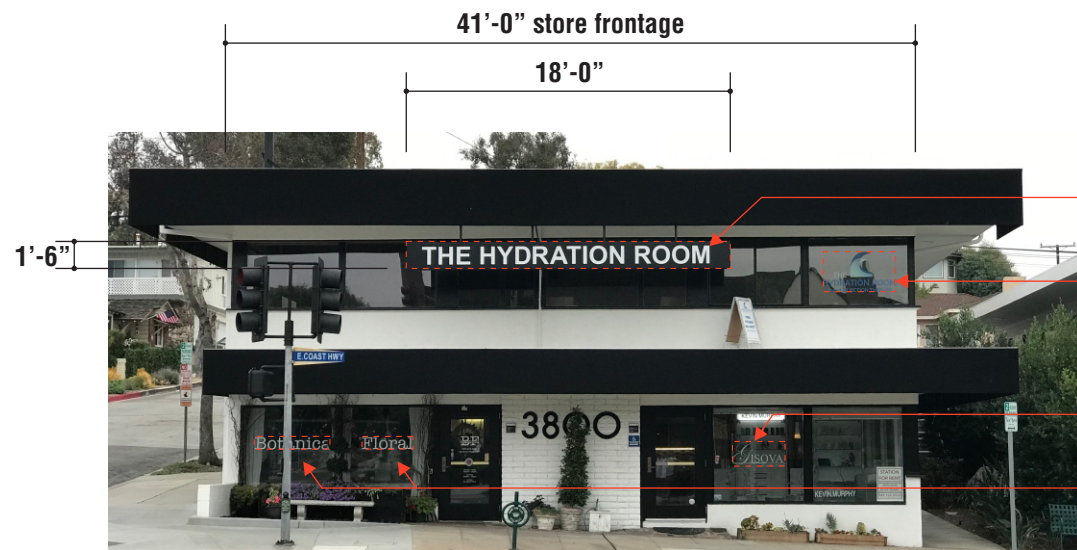
Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.



2 South Elevation - 3800 Building
Scale: 3/32" = 1'-0"

Existing Signage:
1'-6" x 18'-0" = 27 sf

Existing Window Graphics:
1'-8" x 3'-0" = 5 sf

Existing Window Graphics:
1'-6" x 3'-4" = 5 sf

Existing Window Graphics:
8 1/2" x 2'-10" = 2 sf
8 1/2" x 4'-2 1/2" = 3 sf

Note:
Field verify all dims prior to fab

3800

■ Sign Area:

Existing Sign A "The Hydration room"	27.00 sq. ft.
Hydration Room	5.00 sq. ft.
Botanica Floral	5.00 sq. ft.
Gisova	5.00 sq. ft.
Existing Window Graphics	15.00 sq. ft.
Proposed Sign C1	14.00 sq. ft.
Proposed Sign C2	14.00 sq. ft.

TNT ELECTRIC
SIGN
COMPANY

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

Page: 4 of 12



1 South Elevation - 3800 Building
Scale: 1/4" = 1'-0"

C1 12" max letter x 14'-0"

C2 12" max letter x 14'-0"



2 South Elevation - 3810 Building
Scale: 3/32" = 1'-0"

Note:
Field verify all dims prior to fab

Existing Window Graphics:
2'-0" x 2'-6" = 5 sf
Vacated and removed

3810

■ Sign Area:	
Window signs allowed (3) tenants x 5 sq. ft. each	15.00 sq. ft.
Proposed Sign B	27.00 sq. ft.
Proposed Sign C3	18.00 sq. ft.
Proposed Sign C4	18.00 sq. ft.



1 South Elevation - 3810 Building
Scale: 1/4" = 1'-0"

C3 12" max letter x 14'-0"

H 4'5" x 1'5"

C4 12" max letter x 14'-0"

TNT ELECTRIC
SIGN
COMPANY

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.



2 East Elevation - 3810 Building
Scale: nts

Note:
Field verify all dims prior to fab

3810

■ Sign Area:	
Proposed Sign Z1	14.00 sq. ft.
Proposed Sign Z2	14.00 sq. ft.



1 East Elevation - 3810 Building
Scale: 3/16" = 1'-0"

TNT ELECTRIC
SIGN
COMPANY

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

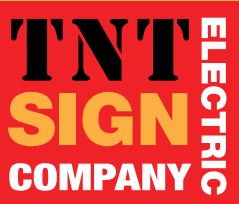
This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.



2 West Elevation - 3800 Building
Scale: nts

3800

Sign Area:	
Existing Cabinet	63.33 sq. ft.



3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

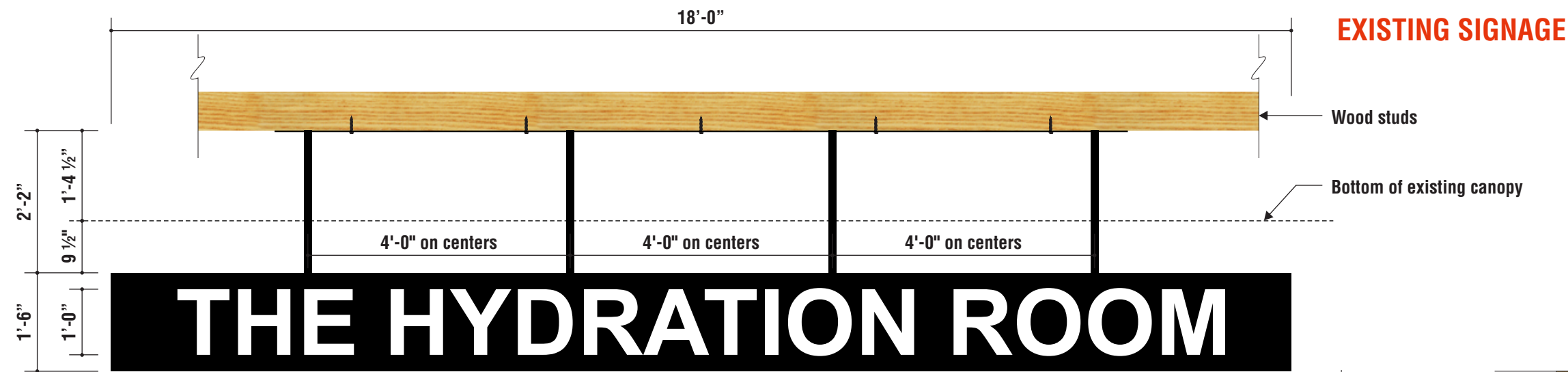
Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.



1 West Elevation - 3800 Building
Scale: 1/4" = 1'-0"

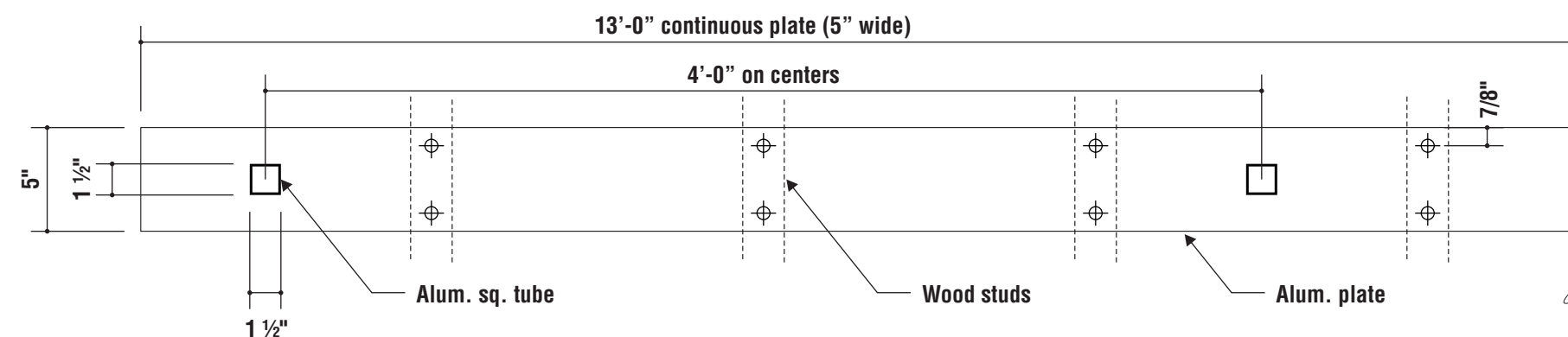


A Sign Elevation Layout
Qty: One (1) Required
Square Footage: 27
Scale: 1/2" = 1'-0"

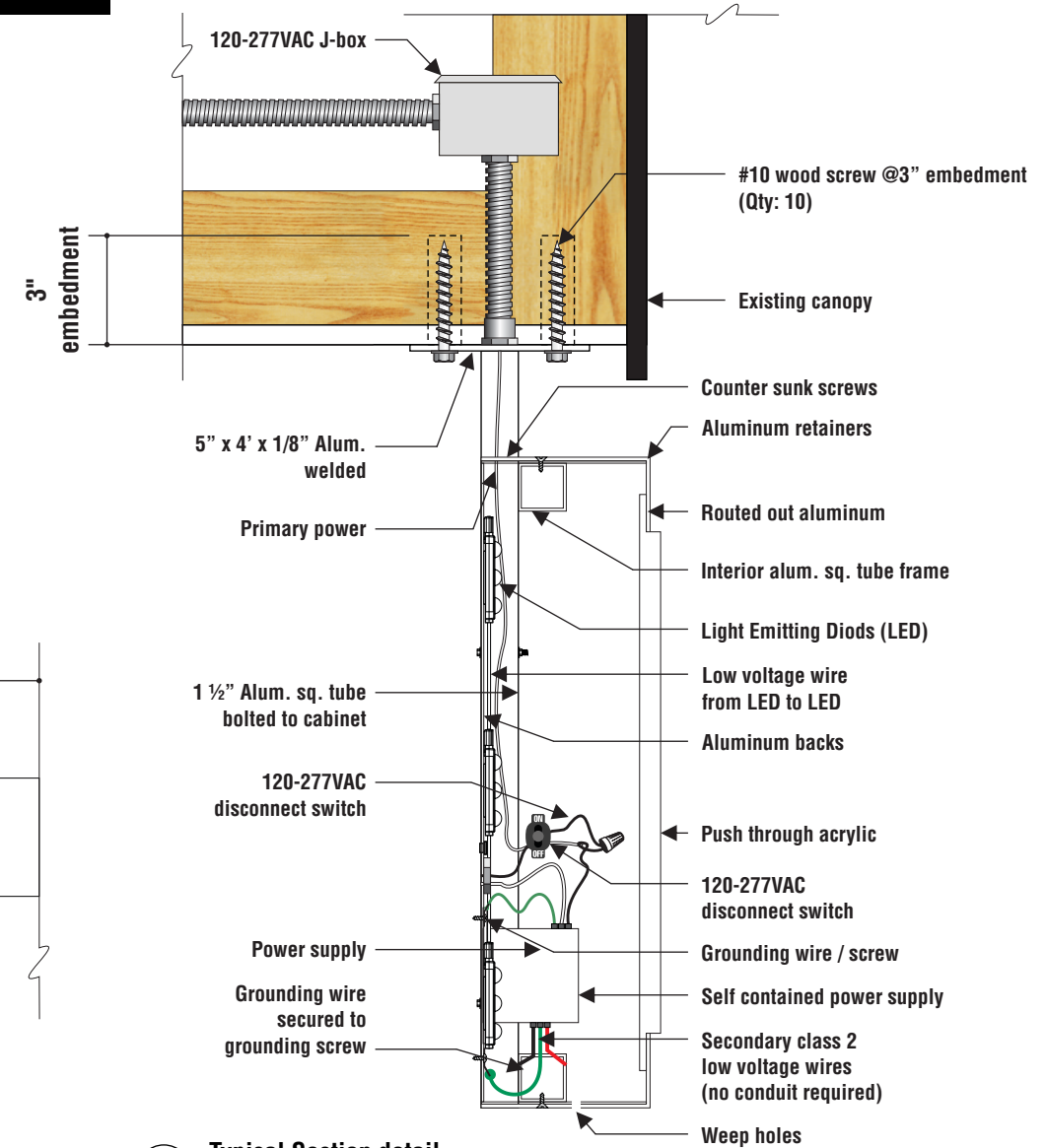
Manufacture and install interior illuminated cabinet sign

Cabinet: Interior illuminated cabinet
Face: Routed out aluminum painted black
Copy: 1/2" thick push through white acrylic
Returns: 5" deep aluminum painted black, clean backs
Illumination: White LEDs / power supplies mounted internally

Note: Field verify all dims and conditions prior to fab



2 Aluminum Plate Plan View
Scale: 1 1/2" = 1'-0"



1 Typical Section detail
Scale: nts

Sign Voltage: **120V**

SIGN LIGHTING CONTROLS

• **Control for All Signs.** All Signs with permanently connected lighting shall meet the requirements of Section 133. • **Automatic Time Switch Control.** All signs with permanently connected lighting shall be controlled with an automatic time switch that complies with the applicable requirements of Section 1198. • **Photocontrol or outdoor astronomical time switch control.** All outdoor signs shall be controlled with a photocontrol or outdoor astronomical time switch unless exempted from the exceptions. See Section 133(a)2. • **Dimming.** All outdoor signs shall be controlled with a dimmer that provides the ability to automatically reduce sign power by a minimum of 65 percent during nighttime exempted from the 5 possible exceptions. See Section 133(a)3. • **Demand Responsive Electronic Message center Control (EMC),** newly connected lighting power load greater than 15kW shall have a control installed that is capable of reducing the lighting power by a minimum of 30% when receiving a demand response signal that is sent out by the local utility. This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant. In the utilization of GFI Transformers and in accordance with NEC and UL Listed guidelines, it is required that primary circuits to each sign must have dedicated circuits with proper ground from main panel and must be bonded. Any equipment or lighting that is added / shared to the primary sign circuit will cause GFI transformers to trip off. Neutral to ground should not exceed 3 volts to prevent GFI from tripping.

TNT
SIGN
COMPANY **ELECTRIC**

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

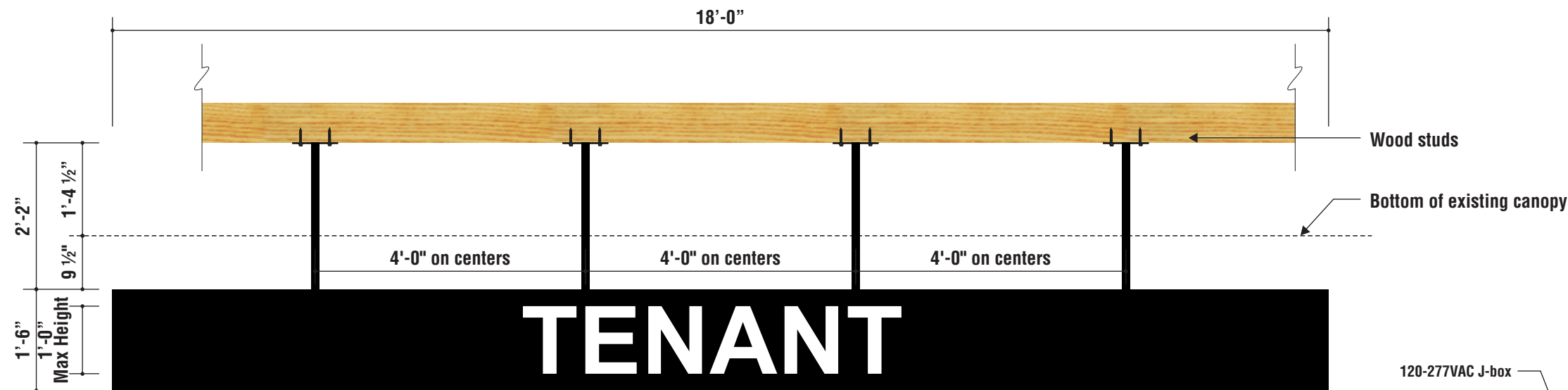
Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method, remove sign D
R6: jd 9/10/19 change sign Z to wall mount
R7: jd 9/10/19 remove sign Z2, add sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

ALL ELECTRICAL COMPONENTS **UL LISTED**

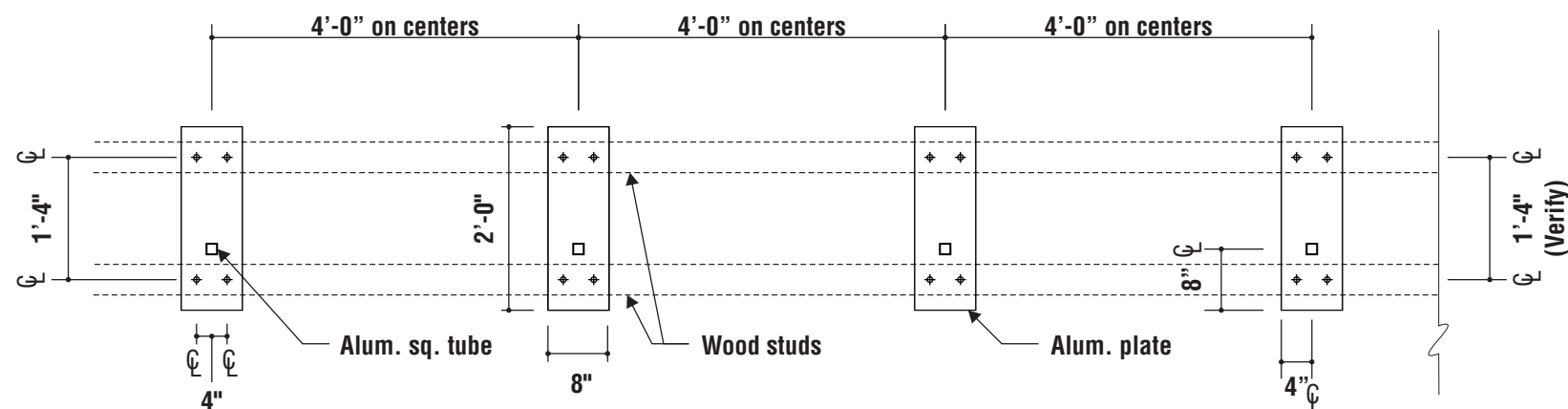


B Sign Elevation Layout
Qty: One (1) Required
Square Footage: 27
Scale: 1/2" = 1'-0"

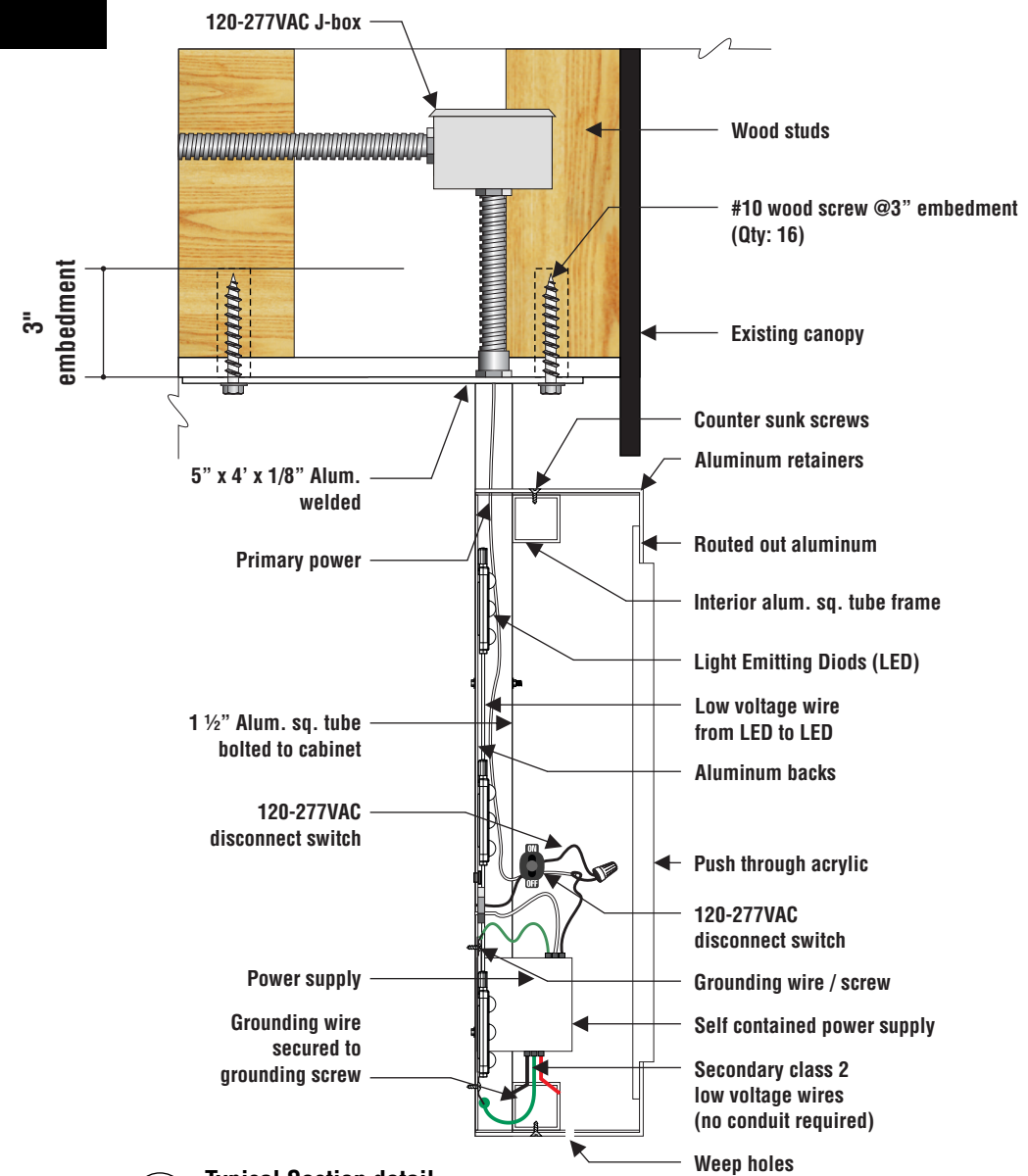
Manufacture and install interior illuminated cabinet sign

Cabinet: Interior illuminated cabinet
Face: Routed out aluminum painted black
Copy: 1/2" thick push through white acrylic
Returns: 5" deep aluminum painted black, clean backs
Illumination: White LEDs / power supplies mounted internally

Note: Field verify all dims and conditions prior to fab



2 Aluminum Plate Plan View
Scale: 1/2" = 1'-0"



1 Typical Section detail
Scale: nts

Sign Voltage: **120V**

SIGN LIGHTING CONTROLS

• **Control for All Signs.** All Signs with permanently connected lighting shall meet the requirements of Section 133. • **Automatic Time Switch Control.** All signs with permanently connected lighting shall be controlled with an automatic time switch that complies with the applicable requirements of Section 1198. • **Photocontrol or outdoor astronomical time switch control.** All outdoor signs shall be controlled with a photocontrol or outdoor astronomical time switch unless exempted from the exceptions. See Section 133(a)2. • **Dimming.** All outdoor signs shall be controlled with a dimmer that provides the ability to automatically reduce sign power by a minimum of 65 percent during nighttime exempted from the 5 possible exceptions. See Section 133(a)3. • **Demand Responsive Electronic Message center Control (EMC),** newly connected lighting power load greater than 15kW shall have a control installed that is capable of reducing the lighting power by a minimum of 30% when receiving a demand response signal that is sent out by the local utility. This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant. In the utilization of GFI Transformers and in accordance with NEC and UL Listed guidelines, it is required that primary circuits to each sign must have dedicated circuits with proper ground from main panel and must be bonded. Any equipment or lighting that is added / shared to the primary sign circuit will cause GFI transformers to trip off. Neutral to ground should not exceed 3 volts to prevent GFI from tripping.

TNT
SIGN
COMPANY **ELECTRIC**

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

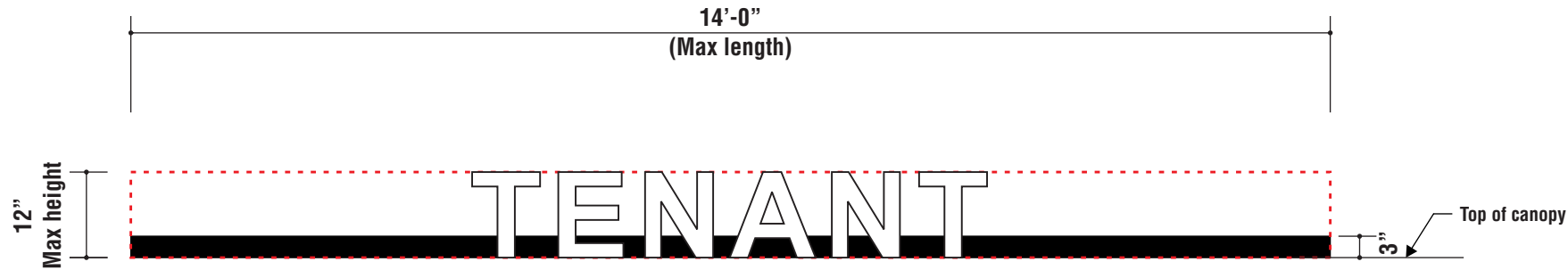
Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method, remove sign D
R6: jd 9/10/19 change sign Z to wall mount
R7: jd 9/10/19 remove sign Z2, add sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

ALL ELECTRICAL COMPONENTS LISTED



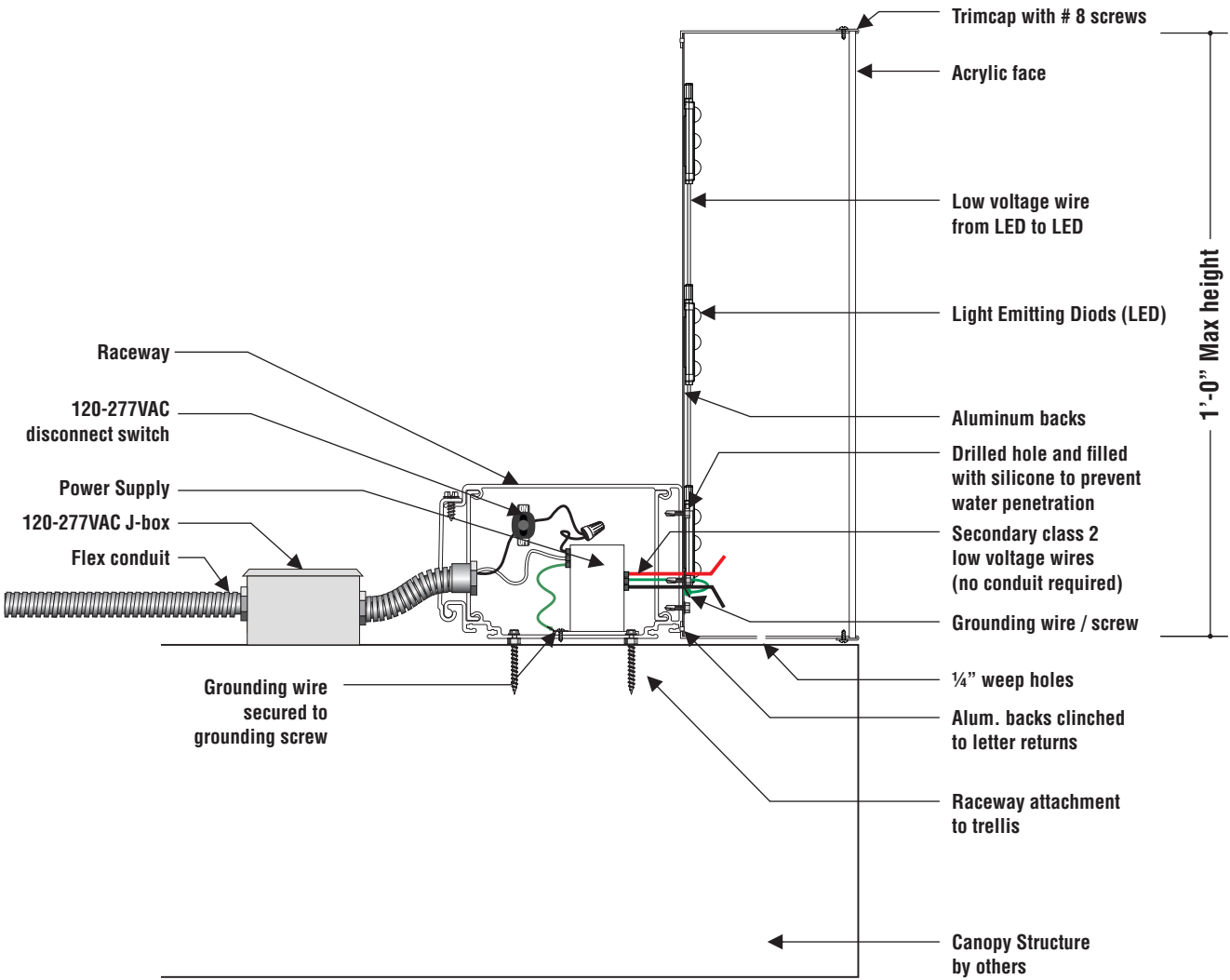


C1	C2	Sign Elevation Layout	Square Footage: 14
C3	C4	Qty: Four (4) Required	Scale: 1/2" = 1'-0"

Manufacture and install face lit channel letters

Faces: White acrylic
Trimcaps: 3/4" White
Returns: 5" pre-coat black
Illumination: White LEDs / remote power supplies
Raceway: 3" x 5" raceway painted Matthews black

Note: Field verify all dims and conditions prior to fab



1 Typical Section detail
Scale: nts

Sign Voltage: 120V

SIGN LIGHTING CONTROLS

• **Control for All Signs.** All Signs with permanently connected lighting shall meet the requirements of Section 133. • **Automatic Time Switch Control.** All signs with permanently connected lighting shall be controlled with an automatic time switch that complies with the applicable requirements of Section 1198. • **Photocontrol or outdoor astronomical time switch control.** All outdoor signs shall be controlled with a photocontrol or outdoor astronomical time switch unless exempted from the exceptions. See Section 133(a)2. • **Dimming.** All outdoor signs shall be controlled with a dimmer that provides the ability to automatically reduce sign power by a minimum of 65 percent during nighttime exempted from the 5 possible exceptions. See Section 133(a)3. • **Demand Responsive Electronic Message center Control (EMC),** newly connected lighting power load greater than 15kW shall have a control installed that is capable of reducing the lighting power by a minimum of 30% when receiving a demand response signal that is sent out by the local utility. This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant. In the utilization of GFI Transformers and in accordance with NEC and UL Listed guidelines, it is required that primary circuits to each sign must have dedicated circuits with proper ground from main panel and must be bonded. Any equipment or lighting that is added / shared to the primary sign circuit will cause GFI transformers to trip off. Neutral to ground should not exceed 3 volts to prevent GFI from tripping.

TNT
SIGN
COMPANY **ELECTRIC**

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

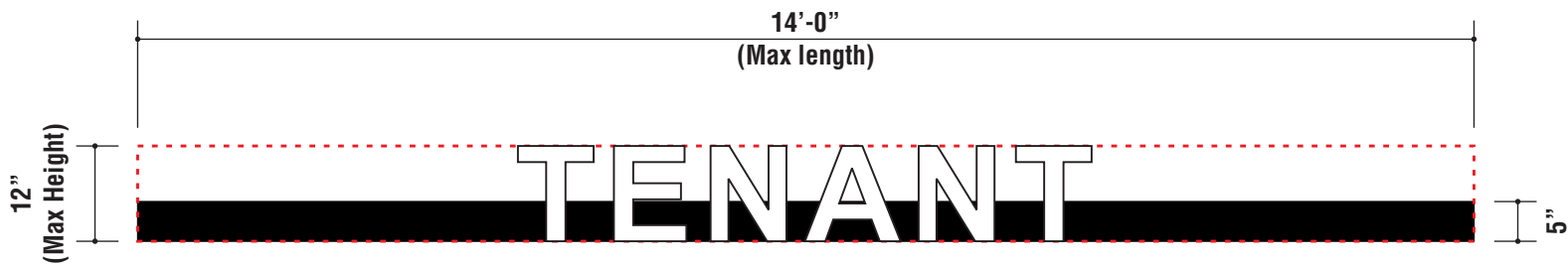
Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method, remove sign D
R6: jd 9/10/19 change sign Z to wall mount
R7: jd 9/10/19 remove sign Z2, add sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.

ALL ELECTRICAL
COMPONENTS



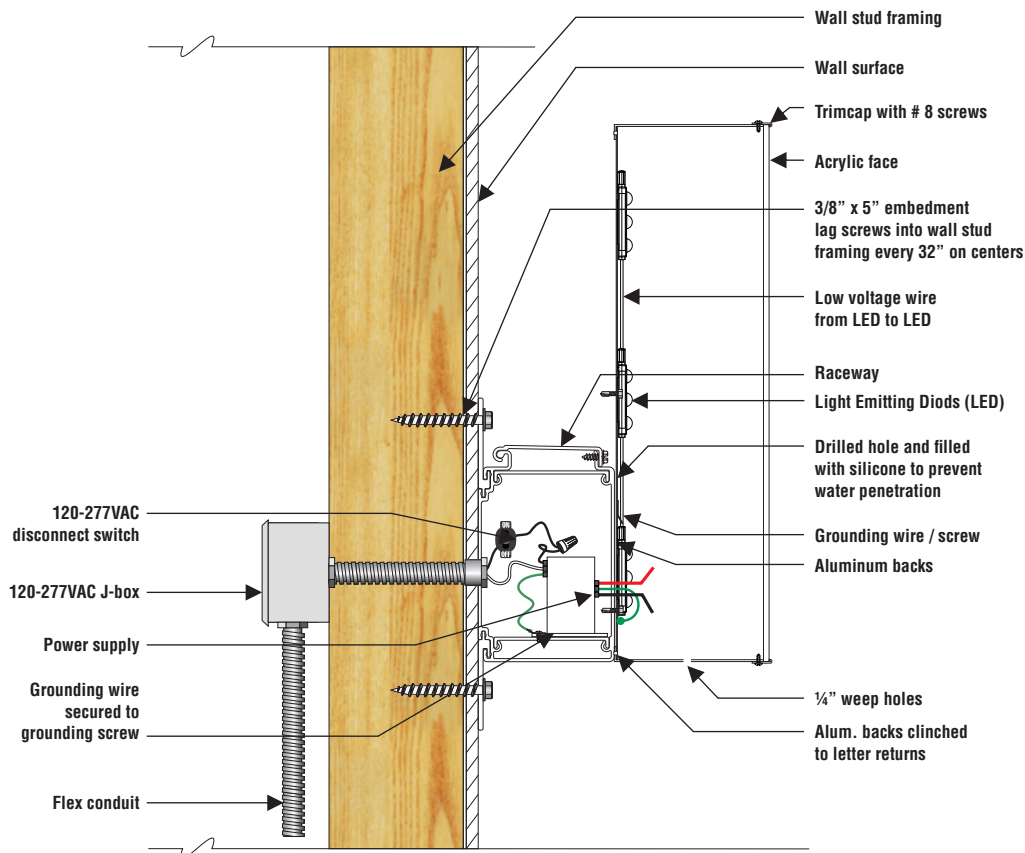


Z1	Sign Elevation Layout	Square Footage: 14
Z2	Qty: Two (2) Required	Scale: ½" = 1'-0"

Manufacture and install face lit channel letters

Faces: White acrylic
Trimcaps: ¾" White
Returns: 5" pre-coat black
Illumination: White LEDs / remote power supplies
Raceway: 3" x 5" raceway painted Matthews black

Note: Field verify all dims and conditions prior to fab



1 Typical Section detail
Scale: nts

ALL ELECTRICAL COMPONENTS LISTED



Sign Voltage: 120V

SIGN LIGHTING CONTROLS

• **Control for All Signs.** All Signs with permanently connected lighting shall meet the requirements of Section 133. • **Automatic Time Switch Control.** All signs with permanently connected lighting shall be controlled with an automatic time switch that complies with the applicable requirements of Section 1198. • **Photocontrol or outdoor astronomical time switch control.** All outdoor signs shall be controlled with a photocontrol or outdoor astronomical time switch unless exempted from the exceptions. See Section 133(a)2. • **Dimming.** All outdoor signs shall be controlled with a dimmer that provides the ability to automatically reduce sign power by a minimum of 65 percent during nighttime exempted from the 5 possible exceptions. See Section 133(a)3. • **Demand Responsive Electronic Message center Control (EMC),** newly connected lighting power load greater than 15kW shall have a control installed that is capable of reducing the lighting power by a minimum of 30% when receiving a demand response signal that is sent out by the local utility. This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant. In the utilization of GFI Transformers and in accordance with NEC and UL Listed guidelines, it is required that primary circuits to each sign must have dedicated circuits with proper ground from main panel and must be bonded. Any equipment or lighting that is added / shared to the primary sign circuit will cause GFI transformers to trip off. Neutral to ground should not exceed 3 volts to prevent GFI from tripping.

TNT ELECTRIC
SIGN
COMPANY

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

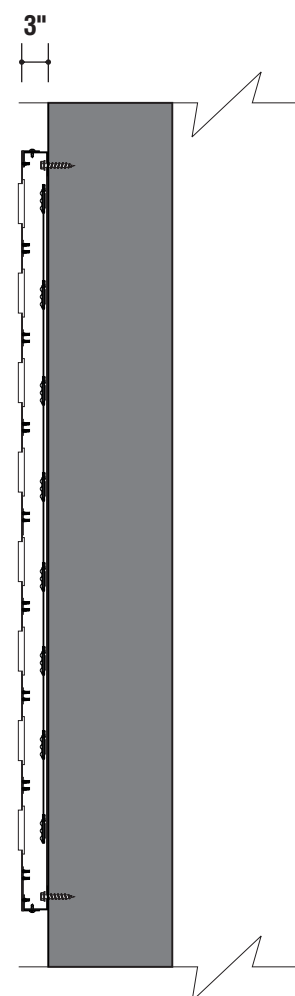
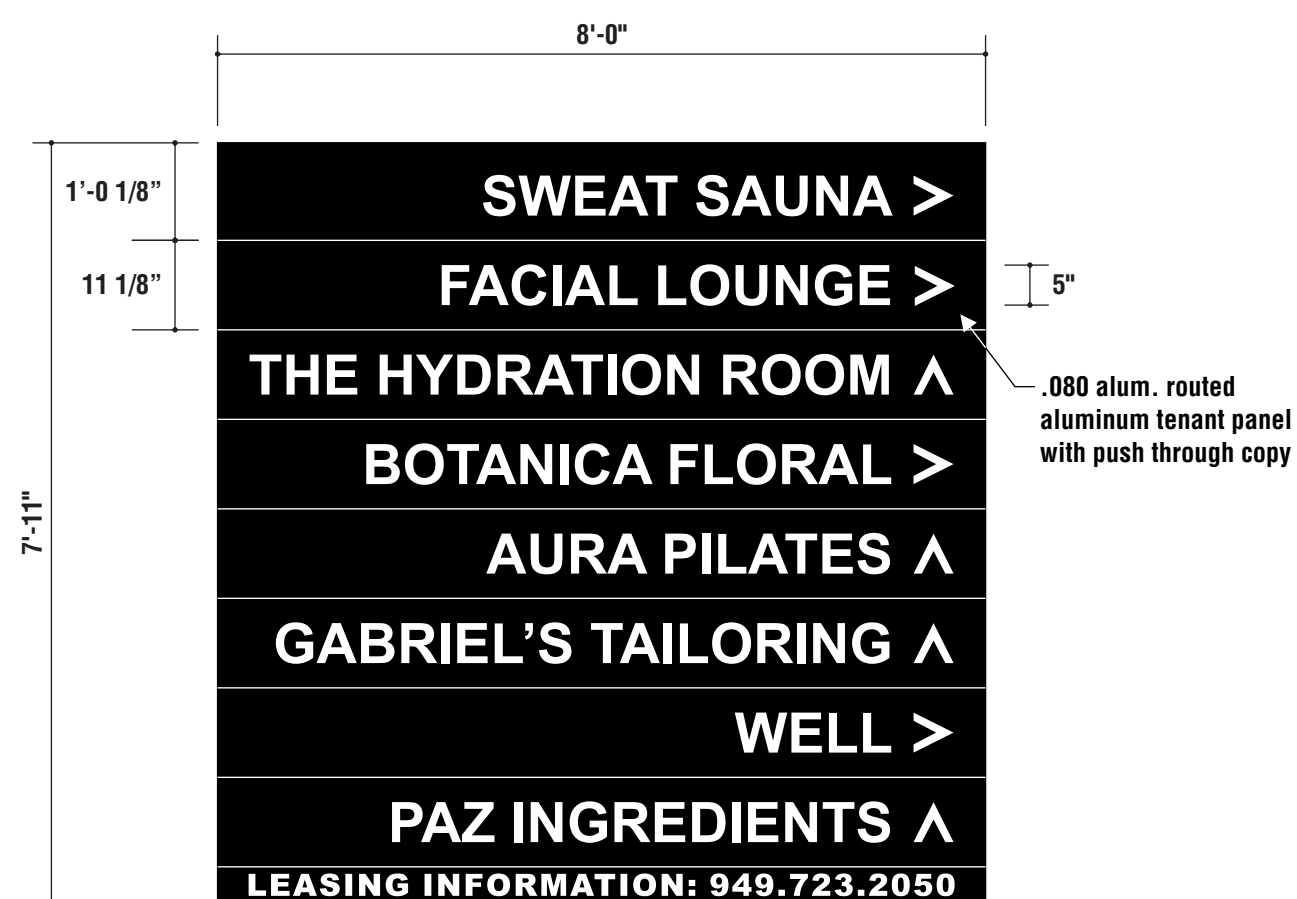
Design Number:
19-06-3939-R09

Scale: As Noted

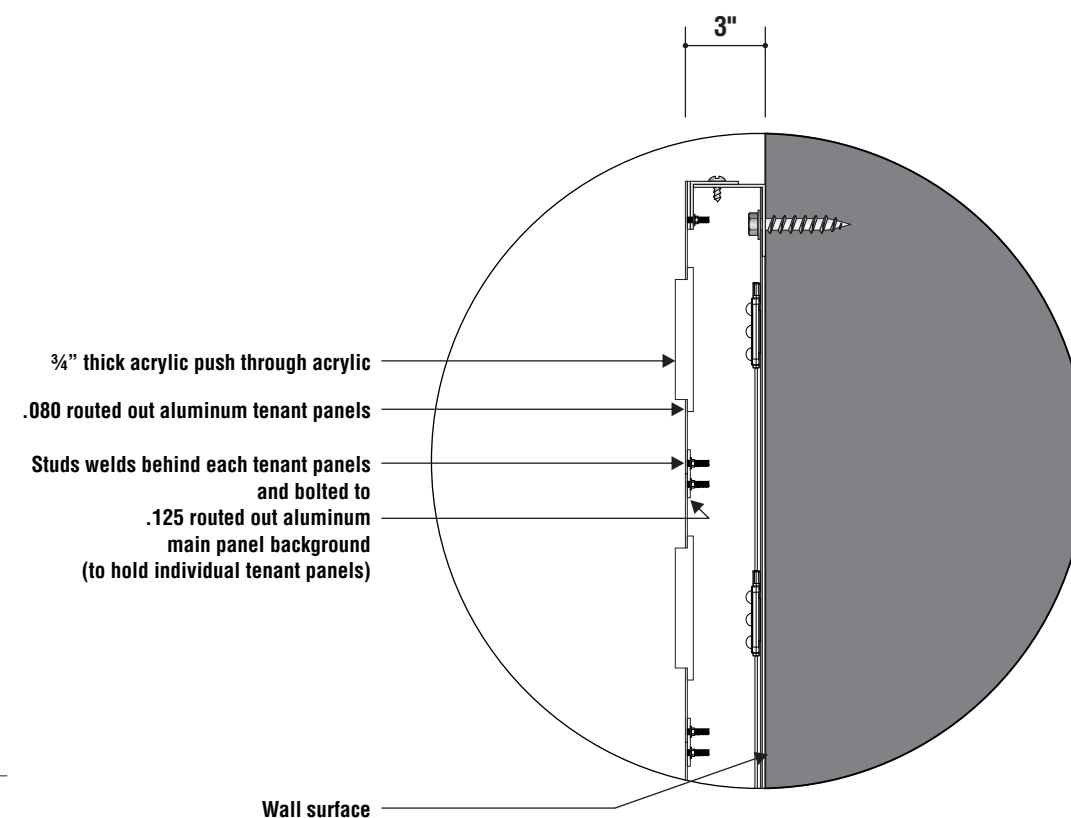
Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method, remove sign D
R6: jd 9/10/19 change sign Z to wall mount
R7: jd 9/10/19 remove sign Z2, add sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.



EXISTING SIGNAGE



E Sign Elevation Layout
Qty: One (1) Required
Square Footage: 63.33
Scale: 1/2" = 1'-0"

1 Side View
Scale: 1/2" = 1'-0"

2 Close Up View Detail
Scale: 1 1/2" = 1'-0"

Reface existing panel face

Cabinet: Existing, to remain as is
Tenant Panel: Routed out .080 aluminum painted to match Matthews Black
Copy: 3/4" thick push through white acrylic
Returns: Existing, to remain as is
Illumination: Existing, to remain as is

Note: Dims per original plans

TNT ELECTRIC
SIGN
COMPANY

3080 E 29TH ST
LONG BEACH, CA 90806
562 595 7725

CA LIC. C45 994192

Visit us at:
tntelectricssign.com

Job Name:
3800 & 3810 E. PCH
Sign Program

Address:
3800 & 3810 PCH
Corona Del Mar, CA
92625

Sales Rep:
Neil McNaught
E-mail:
NeilM@tntelectricssign.com

Designer: John Nauta

Design Number:
19-06-3939-R09

Scale: As Noted

Original Date: 06/19/19

Revisions:
R1: sp 7/25/19 revise per attachment
R2: sp 8/26/19 revise per notes
R3: jd 8/30/19 revise per notes
R4: jd 8/30/19 change to channel letters
R5: jd 9/9/19 update install method,
remove sign D
R6: jd 9/10/19 change sign Z to wall
mount
R7: jd 9/10/19 remove sign Z2, add
sign C5
R8: jd 9/12/19 revise per comments
R9: jd 10/10/19 revise per comments

This is an original unpublished drawing created by TNT Electric Sign Co. It is submitted for your approval. It is not to be shown to anyone outside of your organization, nor is it to be reproduced, copied or exhibited in any fashion. The changing of colors, sizes, materials or illumination method does not alter the design. Ownership of this design is held by TNT Electric Sign Co. Authorization to use this design in any fashion must be obtained in writing from TNT Electric Sign Co.
© TNT Electric Sign Co. 2019
Note: The colors depicted here are a graphic representation. Actual colors may vary. See color specifications.